

Austin, Texas, May 31, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1103, "An Act prohibiting the taking of fish for commercial purposes from the public waters of Jones and Shackelford Counties; prescribing penalties, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

SENT TO THE GOVERNOR

May 31, 1939

House Concurrent Resolution No. 164.

House Concurrent Resolution No. 168.

House Concurrent Resolution No. 166.

House Concurrent Resolution No. 170.

House Bill No. 1102.

House Bill No. 832.

House Bill No. 834.

House Bill No. 431.

House Bill No. 995.

House Bill No. 1084.

House Bill No. 1095.

House Bill No. 1113.

SEVENTY-EIGHTH DAY

(Thursday, June 1, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Morse.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Bray
Allen	Bridgers
Allison	Broadfoot
Alsup	Brown of Cherokee
Anderson	Brown
Bailey	of Nacogdoches
Baker	Bundy
of Fort Bend	Burkett
Baker of Grayson	Burney
Bell	Cauthorn
Blankenship	Celaya
Boethel	Chambers
Bond	Clark
Boyd	Cleveland
Boyer	Cockrell
Bradbury	Coleman
Bradford	Colquitt

Colson, Mrs.	McDonald
Cornett	McFarland
Corry	McMurry
Crossley	McNamara
Daniel	Mohrmann
Davis of Jasper	Montgomery
Davis of Upshur	Morris
Dickison	Newell
Dickson	Nicholson
Dowell	Oliver
Dwyer	Pace
Faulkner	Petsch
Felty	Pevehouse
Ferguson	Piner
Fielden	Pope
Fuchs	Ragsdale
Galbreath	Reader of Erath
Gilmer	Reaves
Goodman	Reed
Gordon, Mrs.	Rhodes
Hale	Riviere
Hamilton	Roach
Hankamer	Roberts
Hardeman	Robinson
Hardin	Russell
Harp	Schuenemann
Harper	Segrist
Harrell of Bastrop	Shell
Harrell of Lamar	Skiles
Harris	Smith of Frio
Hartzog	Smith of Hopkins
Heflin	Smith
Holland	of Matagorda
Howington	Spencer
Hull	Stinson
Hunt	Stoll
Isaacks	Talbert
Johnson of Ellis	Tarwater
Johnson of Tarrant	Taylor
Keith	Tennant
Kennedy	Thornberry
Kern	Thornton
Kerr	Turner
Kersey	Vale
Kinard	Vint
King	Voigt
Langdon	Waggoner
Lehman	Weldon
Leonard	Wells
Leyendecker	Westbrook
Little	White
Lock	Wilson
Loggins	Winfree
London	Wood
Mays	Worley
McAlister	Wright
McDaniel	
	Absent—Excused
Dean	Howard
Derden	Monkhouse
Donaghey	Reader of Bexar

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Our Heavenly Father, we plead not our own worth or merit as we come into Thy presence this morning. Thou hast said that men should pray always; and urged by our needs and encouraged by Thy grace we pray for a clear grasp of real duty and for Thy leadership in all our ways. In Christ's name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Derden for today, on motion of Mr. Skiles.

Mr. Reader of Bexar for today, on motion of Mr. Anderson.

The following Members were granted leaves of absence on account of illness:

Mr. Dean for today, on motion of Mr. Little.

Mr. Monkhouse for today, and the balance of the week, on motion of Mr. Hartzog.

HOUSE BILL ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Smith of Frio:

H. B. No. 1121, A bill to be entitled "An Act creating a Special Road Law for McMullen County, Texas, providing that said County may fund or refund the indebtedness outstanding against its road and bridge fund as of May 15th, 1939, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; providing this law shall be cumulative of general laws on the subject of roads and bridges and general laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

BILLS ORDERED NOT PRINTED

On motion of Mr. Blankenship, Senate Bill No. 238 was ordered not printed.

On motion of Mr. Westbrook, House Bill No. 1101 was ordered not printed.

RELATIVE TO HOUSE BILL NO. 1119

On motion of Mr. Bradbury, and by unanimous consent of the House, the caption of House Bill No. 1119 was ordered amended to conform to all changes, and with the body of the bill.

MOTION TO INSTRUCT COMMITTEE ON HIGHWAYS AND MOTOR TRAFFIC

Mr. Burney moved that the Committee on Highways and Motor Traffic be instructed to report House Bill No. 746 to the House by tomorrow.

Mr. Reed moved to table the motion by Mr. Burney.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called, and the vote announced, as follows:

Yeas—55

Allen	McDaniel
Alsup	McDonald
Baker of Grayson	McFarland
Blankenship	McMurry
Bond	McNamara
Boyd	Mohrmann
Boyer	Montgomery
Broadfoot	Nicholson
Bundy	Oliver
Coleman	Pevhouse
Colquitt	Reed
Corry	Rhodes
Daniel	Riviere
Davis of Jasper	Roach
Dickison	Roberts
Dickson	Robinson
Fuchs	Russell
Gordon, Mrs.	Segrist
Hamilton	Stinson
Hankamer	Stoll
Harper	Taylor
Harrell of Lamar	Thornton
Johnson of Ellis	Turner
Johnson of Tarrant	Voigt
Kennedy	Wells
Langdon	Wilson
Lehman	Wood
Leyendecker	

Nays—44

Bailey	Bridgers
Baker	Brown of Cherokee
of Fort Bend	Brown
Boethel	of Nacogdoches
Bradbury	Burkett

Burney	Kern
Cauthorn	Kerr
Celaya	King
Chambers	Leonard
Clark	Lock
Cockrell	London
Cornett	Mays
Crossley	Newell
Davis of Upshur	Pope
Dowell	Reader of Erath
Ferguson	Skiles
Galbreath	Smith of Hopkins
Gilmer	Spencer
Goodman	Tarwater
Hardeman	Vale
Harris	Weldon
Howington	Westbrook
Isaacks	Wright

Absent

Allison	Little
Anderson	Loggins
Bell	McAlister
Bradford	Morris
Bray	Pace
Cleveland	Petsch
Colson, Mrs.	Piner
Dwyer	Ragsdale
Faulkner	Reaves
Felty	Schuenemann
Fielden	Shell
Hale	Smith of Frio
Hardin	Smith
Harp	of Matagorda
Harrell of Bastrop	Talbert
Hartzog	Tennant
Heflin	Thornberry
Holland	Vint
Hull	Waggoner
Hunt	White
Keith	Winfree
Kersey	Worley
Kinard	

Absent—Excused

Dean	Howard
Derden	Monkhouse
Donaghey	Reader of Bexar

Mr. White raised a point of order, that there was not a quorum present.

The Speaker sustained the point of order.

Mr. White moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

On motion of Mr. White, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Kennedy
Allen	Kern
Alsup	Kerr
Anderson	Kersey
Bailey	Kinard
Baker	King
of Fort Bend	Lehman
Baker of Grayson	Leonard
Blankenship	Leyendecker
Boethel	Little
Bond	Lock
Boyer	Loggins
Bradbury	London
Bradford	Mays
Bridgers	McAlister
Brown of Cherokee	McDaniel
Brown	McDonald
of Nacogdoches	McFarland
Bundy	McMurry
Burkett	McNamara
Burney	Mohrmann
Cauthorn	Montgomery
Chambers	Morris
Clark	Newell
Cleveland	Nicholson
Cockrell	Pace
Coleman	Petsch
Colquitt	Pevehouse
Colson, Mrs.	Piner
Cornett	Pope
Corry	Reader of Erath
Crossley	Reaves
Daniel	Reed
Davis of Jasper	Rhodes
Davis of Upshur	Riviere
Dickison	Roach
Dowell	Roberts
Dwyer	Robinson
Faulkner	Russell
Ferguson	Schuenemann
Fielden	Segrist
Fuchs	Shell
Galbreath	Skiles
Gilmer	Smith of Frio
Goodman	Smith of Hopkins
Gordon, Mrs.	Smith
Hale	of Matagorda
Hamilton	Spencer
Hankamer	Stinson
Hardeman	Stoll
Hardin	Tarwater
Harper	Taylor
Harrell of Lamar	Thornberry
Harris	Thornton
Howington	Turner
Hull	Vale
Isaacks	Voigt
Johnson of Ellis	Waggoner
Keith	Weldon

Wells	Winfree	Russell	Thornton
Westbrook	Wood	Schuenemann	Turner
White	Worley	Segrist	Vint
Wilson	Wright	Shell	Voigt
		Stinson	Waggoner
	Absent	Stoll	Wells
Allison	Heflin	Taylor	Wilson
Bell	Holland	Tennant	Winfree
Boyd	Hunt	Thornberry	Wood
Bray	Johnson of Tarrant		
Broadfoot	Langdon		Nays—52
Celaya	Oliver	Allison	Gilmer
Dickson	Ragsdale	Bailey	Goodman
Felty	Talbert	Baker	Hardeman
Harp	Tennant	of Fort Bend	Harris
Harrell of Bastrop	Vint	Boethel	Howington
Hartzog		Bradford	Hunt
	Absent—Excused	Bridgers	Isaacks
Dean	Howard	Brown of Cherokee	Kern
Derden	Monkhouse	Brown	Kerr
Donaghey	Reader of Bexar	of Nacogdoches	King
		Burkett	Leonard
		Burney	Loggins
		Cauthorn	London
		Celaya	Mays
		Chambers	Mohrmann
		Clark	Pace
		Cockrell	Piner
		Coleman	Reader of Erath
		Colson, Mrs.	Skiles
		Cornett	Smith of Frio
		Crossley	Spencer
		Davis of Jasper	Tarwater
		Davis of Upshur	Vale
		Dowell	Weldon
		Ferguson	Westbrook
		Fielden	Worley
		Galbreath	Wright
			Absent
		Anderson	Kersey
		Bell	Petsch
		Bradbury	Pope
		Felty	Reaves
		Harp	Smith of Hopkins
		Harrell of Bastrop	Smith
		Heflin	of Matagorda
		Holland	Talbert
		Hull	White
			Absent—Excused
		Dean	Howard
		Derden	Monkhouse
		Donaghey	Reader of Bexar
			BILL RE-REFERRED
			Mr. Russell moved that Senate Bill
			No. 179 be withdrawn from the Com-
			mittee on Revenue and Taxation, and
			referred to the Committee on Exam-

The Speaker announced that there was a quorum present.

Question again recurring on the motion to table the motion by Mr. Burney, to instruct the Committee on Highways and Motor Traffic, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—74

Allen	Johnson of Tarrant
Alsup	Keith
Baker of Grayson	Kennedy
Blankenship	Kinard
Bond	Langdon
Boyd	Lehman
Boyer	Leyendecker
Bray	Little
Broadfoot	Lock
Bundy	McAlister
Cleveland	McDaniel
Colquitt	McDonald
Corry	McFarland
Daniel	McMurry
Dickison	McNamara
Dickson	Montgomery
Dwyer	Morris
Faulkner	Newell
Fuchs	Nicholson
Gordon, Mrs.	Oliver
Hale	Pevehouse
Hamilton	Ragsdale
Hankamer	Reed
Hardin	Rhodes
Harper	Riviere
Harrell of Lamar	Roach
Hartzog	Roberts
Johnson of Ellis	Robinson

ination of Comptroller's and Treasurer's Accounts.

Mr. Harris moved to table the motion to re-refer.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—35

Alsup	Lock
Boyer	Loggins
Bradford	McAlister
Bray	McNamara
Bridgers	Montgomery
Burney	Newell
Corry	Nicholson
Galbreath	Ragsdale
Gilmer	Roberts
Goodman	Schuenemann
Gordon, Mrs.	Shell
Hale	Smith of Frio
Harp	Tarwater
Harris	Taylor
Hartzog	Wilson
Johnson of Ellis	Worley
Kerr	Wright
Little	

Nays—96

Allen	Dowell
Allison	Dwyer
Anderson	Faulkner
Bailey	Ferguson
Baker	Fielden
of Fort Bend	Fuchs
Baker of Grayson	Hamilton
Bell	Hankamer
Blankenship	Hardeman
Boethel	Harper
Bond	Harrell of Bastrop
Boyd	Harrell of Lamar
Bradbury	Holland
Broadfoot	Howington
Brown of Cherokee	Hull
Brown	Hunt
of Nacogdoches	Isaacks
Bundy	Johnson of Tarrant
Burkett	Keith
Cauthorn	Kennedy
Celaya	Kern
Chambers	King
Clark	Langdon
Cleveland	Lehman
Cockrell	Leyendecker
Coleman	London
Colquitt	Mays
Colson, Mrs.	McDaniel
Cornett	McFarland
Crossley	McMurry
Davis of Jasper	Mohrmann
Dickison	Morris
Dickson	Oliver

Pace	Stinson
Petsch	Stoll
Pevehouse	Tennant
Piner	Thornberry
Reader of Erath	Thornton
Reaves	Turner
Reed	Vale
Rhodes	Vint
Riviere	Voigt
Roach	Waggoner
Robinson	Weldon
Russell	Wells
Segrist	Westbrook
Smith of Hopkins	White
Smith	Winfree
of Matagorda	Wood
Spencer	

Absent

Daniel	Kinard
Davis of Upshur	Leonard
Felty	McDonald
Hardin	Pope
Heflin	Skiles
Kersey	Talbert

Absent—Excused

Dean	Howard
Derden	Monkhouse
Donaghey	Reader of Bexar

Mr. Tarwater moved, as a substitute motion, that Senate Bill No. 179 be withdrawn from the Committee on Revenue and Taxation, and referred to the Committee on Agriculture.

Mr. Russell moved to table the substitute motion by Mr. Tarwater.

The motion to table prevailed.

Mr. Boyer moved, as a substitute motion, that Senate Bill No. 179 be withdrawn from the Committee on Revenue and Taxation, and referred to the Committee on State Affairs.

Mr. Russell moved to table the substitute motion by Mr. Boyer.

The motion to table prevailed.

Question then recurring on the motion by Mr. Russell, to re-refer Senate Bill No. 179 to the Committee on Examination of Comptroller's and Treasurer's Accounts, it prevailed.

MEMORIALIZING CONGRESS IN REGARD TO THE USE OF COTTON

Mr. White offered the following resolution:

H. S. R. No. 303, Memorializing Congress in regard to the use of cotton.

Whereas, The surplus stocks of cotton in this Country now total about

14,000,000 bales, of which 11,400,000 bales are stored under government loan to producers; and

Whereas, For over a century growers have been wrapping cotton in an imported material which is known as jute bagging; and

Whereas, The Commissioner of Agriculture of Texas estimates that approximately 2% of the bagging used for wrapping cotton in Texas is cotton bagging and approximately 98% is jute; and

Whereas, Jute is used for the purpose of wrappers, bags, burlap, and twine; and

Whereas, Millions of square yards of cotton cloth were once used for making all commodities have retreated before the paper bags; and

Whereas, In 1925 only 10% of the national cement supply was shipped in paper bags, and in 1936 this figure had risen to 42%; and

Whereas, Cotton bagging is cheaper in the long run because it can be used 10 or 12 times while paper is only used once; and

Whereas, Jute, paper, and rayon are three relentless enemies of the cotton industry, each armed with the deadliest weapons—lower cost; and

Whereas, The cotton mountain would melt like a snowpile if an ambitious program to reinforce roads and airport runways with a layer of cotton fabric is carried through on a national basis; and

Whereas, There are now well over 500 miles of cotton roads in 22 States. A mile or roadway uses 8 to 10 bales of cotton; and

Whereas, The United States produces about 45% of the world cotton crop, and Texas is the greatest producer of cotton in the United States and the world, and American cotton exports have decreased; and

Whereas, In 1936 the world's production of cotton was 28,250,000 bales, in 1938 the United States' production was 18,946,000 bales, and in 1938 Texas' production was 3,125,000 bales; and

Whereas, We must do something about this surplus or risk economic disaster for the entire Nation and particularly the people of the South, who depend almost entirely on cotton for their livelihood; and

Whereas, A dollar spent in research will pay rich dividends; and

Resolved, That the House of Representatives of Texas urge that the Honorable Body of the United States Congress be requested to make a thorough investigation of the uses of cotton; and, be it further

Resolved, That the Federal Government be requested to establish in Texas a Cotton Gin and Fiber Laboratory for the purpose of improving cotton technique and devising means of improving cotton fiber; and, be it further

Resolved, That Congress be requested to make necessary appropriations to pay the difference between jute and cotton bagging so as to enable the farmers in cotton producing States to purchase cotton bagging at the gin which will take over 100,000 bales of cotton off of the market; and, be it further

Resolved, That a copy of this resolution be forwarded to each Member of Congress from Texas.

WHITE,
FUCHS.

The resolution was read second time.

(Mr. Leonard in the Chair.)

Question recurring on the resolution by Mr. White, it was adopted.

(Speaker in the Chair.)

RELATIVE TO RESOLUTION PERIOD

Mr. Chambers moved that the House dispense with the consideration of resolutions, at this time.

The motion was lost.

RELATIVE TO THE ARCHIVES DIVISION OF THE TEXAS STATE LIBRARY

The Speaker laid before the House, for consideration, at this time, House Concurrent Resolution No. 99, by Mr. Isaacks, relative to the Archives Division of the Texas State Library.

The resolution having heretofore been read second time, and referred to the Committee on Judiciary.

The Committee on Judiciary having recommended the adoption of the resolution.

Mr. Isaacks, by unanimous consent of the House, withdrew the resolution.

(Mr. Leonard in the Chair.)

RELATIVE TO CERTAIN BUILDING FUND

The Chair laid before the House, for consideration, at this time, House Concurrent Resolution No. 79, by Mr. Goodman, relative to certain building fund.

The resolution having heretofore been read second time, and referred to the Committee on Public Lands and Buildings.

The Committee on Public Lands and Buildings having recommended the adoption of the resolution.

Mr. Riviere raised a point of order, on further consideration of the resolution, at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Chair overruled the point of order.

Mr. Goodman asked unanimous consent of the House, that the pending resolution be changed from a concurrent resolution to a simple resolution.

There was no objection offered, and it was so ordered.

(House Concurrent Resolution No. 79 was then renumbered House Simple Resolution No. 306.)

Mr. Wood moved that the resolution be tabled.

The motion to table was lost.

Question recurring on the resolution, it was adopted.

EXTENDING CONGRATULATIONS OF THE HOUSE TO HON. AND MRS. W. T. McDONALD

Mr. Isaacks offered the following resolution:

H. S. R. No. 305, Extending congratulations of the House to Hon. and Mrs. W. T. McDonald.

Whereas, One of the younger Members of this House who has served several terms and has heretofore been in good standing with the membership and has been looked upon as a straight-forward cautious Member; and

Whereas, A recent occurrence in which said Member was involved has caused considerable comment not only among the Members but also among the stenographers; now, therefore, be it

Resolved, That said Member be summoned before the Bar of the

House to explain his recent conduct and to introduce his partner in crime.

The Member referred to, is the gentleman from Brazos, the Honorable W. T. McDonald.

ISAACKS,
BRIDGERS.

The resolution was read second time, and was adopted.

The Chair presented Mr. Isaacks, who in turn presented Hon. and Mrs. W. T. McDonald to the House.

TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Hull offered the following resolution:

H. C. R. No. 172, To provide for adjournment sine die.

Be It Resolved by the House of Representatives, the Senate concurring, The Forty-sixth Session of the Legislature adjourn sine die on Saturday, June 10th, at high noon.

HULL,
ALSUP,
KERSEY,
SMITH of Matagorda.

The resolution was read second time.

Mr. Kern moved to table the resolution.

Mr. Mays raised a point of order, on the motion to table, on the ground that same amounts to a motion to adjourn, and a motion to table cannot be made.

The Chair overruled the point of order.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—95

Allen	Bundy
Allison	Burkett
Anderson	Burney
Bailey	Chambers
Baker	Cleveland
of Fort Bend	Cockrell
Bell	Coleman
Bond	Colquitt
Boyd	Colson, Mrs.
Bradbury	Cornett
Bridgers	Corry
Broadfoot	Daniel
Brown of Cherokee	Davis of Jasper
Brown	Davis of Upshur
of Nacogdoches	Dickison

Dickson	McFarland
Dowell	McNamara
Dwyer	Mohrmann
Faulkner	Morris
Felty	Newell
Ferguson	Oliver
Fielden	Petsch
Fuchs	Pevehouse
Gilmer	Piner
Gordon, Mrs.	Pope
Hale	Ragsdale
Hamilton	Reader of Erath
Hardeman	Reaves
Harp	Rhodes
Harrell of Bastrop	Roach
Harrell of Lamar	Robinson
Harris	Russell
Heflin	Smith of Frio
Howington	Smith of Hopkins
Hunt	Spencer
Johnson of Ellis	Stoll
Kennedy	Talbert
Kern	Tennant
Kerr	Thornberry
King	Turner
Langdon	Vint
Lehman	Weldon
Leyendecker	Wells
Little	Westbrook
Lock	White
Loggins	Wilson
London	Winfree
McDaniel	Worley
McDonald	

Nays—41

Alsup	McAlister
Baker of Grayson	McMurry
Boethel	Montgomery
Boyer	Nicholson
Bradford	Pace
Bray	Reed
Cauthorn	Roberts
Celaya	Schuenemann
Crossley	Segrist
Galbreath	Shell
Goodman	Smith
Hankamer	of Matagorda
Hardin	Stinson
Harper	Tarwater
Hartzog	Taylor
Holland	Thornton
Hull	Vale
Johnson of Tarrant	Voigt
Kersey	Waggoner
Kinard	Wood
Mays	Wright

Absent

Blankenship	Leonard
Clark	Riviere
Isaacks	Skiles
Keith	

Absent—Excused

Dean	Howard
Derden	Monkhouse
Donaghey	Reader of Bexar

SPECIAL COMMITTEE
APPOINTED

The Speaker announced the following committee to escort Honorable Martin Dies to the Speaker's stand: Messrs. Lock, Kinard, Riviere, Nicholson, Daniel, Davis of Jasper and Westbrook.

ADDRESS BY CONGRESSMAN
MARTIN DIES

(In Joint Session)

In accordance with the provisions of Senate Concurrent Resolution No. 58, Providing for a Joint Session of the House and Senate at 11:30 o'clock a. m., today, to hear an address by Congressman Martin Dies, the Honorable Senators, at 11:30 o'clock a. m., were announced at the Bar of the House, and escorted to seats prepared for them along the aisle.

Lieutenant Governor Coke Stevenson was escorted to a seat on the Speaker's stand.

Hon. Martin Dies and party, escorted by Senator Shivers, Brownlee and Collie, committee on the part of the Senate, and Messrs., Lock, Kinard, Riviere, Nicholson, Daniel, Davis of Jasper and Westbrook, committee on the part of the House, was announced at the Bar of the House, and was admitted and escorted to a seat on the Speaker's stand.

Lieutenant Governor Coke Stevenson called the Senate to order and stated that the two Houses were in Joint Session to hear an address by Congressman Dies.

Hon. Homer Leonard, who was in the Chair, called the House to order and presented Hon. Dewitt Kinard, who introduced Mr. Dies.

Mr. Dies then addressed the Joint Session.

(On motion of Mr. Fuchs, the remarks of Hon. Martin Dies, in addressing the Joint Session were ordered printed in the Journal.)

[Note: Address not available.]

SENATE RETIRES

At the conclusion of the address, the Senate retired to its Chamber.

MESSAGE FROM THE SENATE

Austin, Texas, June 1, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Bill No. 580.

The following have been appointed on the part of the Senate: Senators Isbell, Small, Shivers, Cotten and Pace.

Respectfully,

BOB BARKER,

Secretary of the Senate.

BILL AND RESOLUTION SIGNED
BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bill and resolution:

S. C. R. No. 58, Inviting Congressman Martin Dies to address a Joint Session of the Legislature.

S. B. No. 69, "An Act providing that no party who participates either in person or by his attorney in the actual trial of the case in the trial court shall be entitled to review by the Court of Civil Appeals through means of writ of error; providing for a repeal of all laws and parts of laws insofar as they conflict with this Act or repeal; etc., and declaring an emergency."

RECESS

Mr. Blankenship moved that the House recess until 2:30 o'clock p. m., today.

Mr. Celaya moved that the House recess until 3:00 o'clock p. m., today.

Mr. Johnson of Tarrant moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—12

Baker of Grayson	Clark
Bradford	Galbreath
Celaya	Goodman

Johnson of Tarrant	Schuenemann
Mays	Tennant
McAlister	Waggoner

Nays—117

Allen	Hunt
Allison	Isaacks
Anderson	Johnson of Ellis
Bailey	Kennedy
Baker	Kern
of Fort Bend	Kerr
Bell	Kersey
Blankenship	King
Boethel	Langdon
Bond	Lehman
Boyd	Leyendecker
Boyer	Little
Bradbury	Lock
Bray	Loggins
Bridgers	McDaniel
Broadfoot	McFarland
Brown of Cherokee	McMurry
Brown	McNamara
of Nacogdoches	Mohrmann
Bundy	Montgomery
Burkett	Morris
Burney	Newell
Cauthorn	Nicholson
Chambers	Oliver
Cleveland	Pace
Cockrell	Petsch
Coleman	Pevehouse
Colson, Mrs.	Piner
Cornett	Pope
Corry	Reader of Erath
Crossley	Reaves
Daniel	Reed
Davis of Upshur	Rhodes
Dickison	Roach
Dowell	Roberts
Dwyer	Robinson
Faulkner	Russell
Felty	Segrist
Ferguson	Shell
Fielden	Skiles
Fuchs	Smith of Frio
Gilmer	Smith of Hopkins
Gordon, Mrs.	Smith
Hale	of Matagorda
Hamilton	Spencer
Hankamer	Stinson
Hardeman	Stoll
Hardin	Talbert
Harp	Tarwater
Harper	Taylor
Harrell of Bastrop	Thornberry
Harrell of Lamar	Thornton
Harris	Turner
Heflin	Vale
Holland	Vint
Howington	Weldon
Hull	Wells

Westbrook	Winfree
White	Worley
Wilson	Wright

Absent

Alsup	London
Colquitt	McDonald
Davis of Jasper	Ragsdale
Dickson	Riviere
Hartzog	Voigt
Keith	Wood
Kinard	

Absent—Excused

Dean	Howard
Derden	Monkhouse
Donaghey	Reader of Bexar

Question then recurring on the motion by Mr. Blankenship, it prevailed, and the House, accordingly, at 12:10 o'clock p. m., took recess until 2:30 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:30 o'clock p. m., and was called to order by Mr. Leonard.

LEAVE OF ABSENCE GRANTED

(By unanimous consent)

Mr. Daniel, temporarily for this afternoon, on account of illness in his family, on motion of Mr. Langdon.

HOUSE BILLS ON FIRST READING

Mr. Smith of Frio asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 1122.

There was no objection offered.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Smith of Frio:

H. B. No. 1122, A bill to be entitled "An Act granting permission to E. B. Rodriguez to bring suit against the State of Texas, and/or Highway Department, in a Court of competent jurisdiction, in Frio County, Texas, for damages for personal injuries received by him while on duty in the employ of the Highway Department of the State of Texas, and which injuries are alleged to have produced

damages to the said E. B. Rodriguez; providing that any judgment so recovered to be paid out of the funds of the Highway Department of the State of Texas; providing that if any provisions of this Act shall be invalid, the validity of the other provisions thereof shall not be affected, and declaring an emergency."

Referred to the Committee on State Affairs.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Cornett:

H. B. No. 1123, A bill to be entitled "An Act creating a more efficient road law for Red River County, Texas, validating certain time warrants heretofore issued, payable out of the Road and Bridge Fund; authorizing the Commissioners Court of said County to issue serial coupon bonds of said County in the funding of said time warrants, and to levy all or any part of the Fifteen Cents Special Road and Bridge Maintenance Tax of said County for payment of said bonds; providing that if any part of this Act shall be declared unconstitutional such holding shall not impair or invalidate any other parts of this Act; providing that this Act shall be cumulative of General Laws; but that in case of conflict this Act shall control, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Cornett:

H. B. No. 1124, A bill to be entitled "An Act creating and establishing Red River County Road District No. 19 in Red River County, Texas, under Article III, Section 52, of the Constitution of the State of Texas, for the purpose of the construction, operation, and maintenance of macadamized, graveled or paved roads or turnpikes, or in aid thereof; describing the territory included therein; making the District a body corporate with authority to sue and be sued; authorizing the District to issue bonds upon a two-thirds vote of the qualified electors, who own taxable property in said District and who have rendered the same for taxation, voting an election; prescribing the method of calling and conducting such election, and the method of issuing said bonds; direct-

ing the levy, assessment, and collection of a tax for the payment of principal and interest of said bonds; providing for the custody and disbursement of the funds of the District; providing that in awarding contracts for road construction the Commissioners Court shall advertise for bids and shall award the contract to the lowest and best bidder; providing that the fact that portions of the District hereby created are also included in other road districts having outstanding bonds shall not affect the District hereby created or its power hereby created; and providing that liability of territory included in this District and other road districts which have issued bonds shall not be affected, and for the levy, assessment, and collection of taxes on said territory for said bonds; and providing that this Act shall not validate said bonds nor be construed as authorizing the creation of indebtedness in excess of the limit established by Article III, Section 52, of the Constitution determining that all of the lands in said District will be benefited by additional road improvement; providing that the provisions of this Act shall prevail in the event of conflict with any other general or special law; providing that if any provision hereof is held to be invalid such holding shall not affect the other provisions hereof, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Bond:

H. B. No. 1125, A bill to be entitled "An Act to permit the killing and annihilating of fox in Freestone County, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

TO GRANT PERMISSION TO SUE THE STATE

The Chair laid before the House, for consideration at this time,

S. C. R. No. 46, Granting W. G. Farrier permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was then adopted.

TO GRANT PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration, at this time,

H. C. R. No. 152, To grant Floyd Farrell permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was then adopted.

EXPRESSING APPRECIATION TO DR. HARRY F. ESTILL

The Chair laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 55, Expressing appreciation to Dr. Harry F. Estill.

Whereas, Doctor Harry F. Estill, at this time President Emeritus of the Sam Houston State Teachers College at Huntsville, Texas, has served with marked distinction and complete efficiency the educational interests of Texas for more than half a century, as follows:

As Professor of Latin (succeeding his own father, Doctor Charles P. Estill, a well known educator from Virginia) in the Sam Houston Normal Institute, the first teacher training institution in Texas, from 1882 to 1908; as Vice President of that institution for a few years preceding the Spring of 1908, when he became acting president; as president of the Sam Houston Normal Institute, and its successor, the Sam Houston State Teachers College, from 1908 until the close of the Summer session in 1937; as President Emeritus of that great college from 1937 until the present time; and

Whereas, He has made a valuable contribution to the historical writings of the United States as co-author of a most useful textbook on American history, and which has been used in the public schools of Texas and other States for many years; and

Whereas, During all of these years he has left an indelible impress upon the youth of Texas who were fortunate enough to come within the sphere of his influence, rendering each of these young folks a much better and more useful citizen of our beloved State; and

Whereas, It is the desire of the

Members of the Legislature of Texas to express their appreciation of his fine work for the betterment of Texas during his lifetime; now, therefore, be it

Resolved, That the Senate of the Forty-sixth Legislature of the State of Texas, the House of Representatives concurring, expresses their deep sense of appreciation of this life of usefulness of Doctor Estill and of his contribution to the educational advancement of our beloved State, and that the Legislature wishes him many more years of happiness and contentment as he continues to influence the youth of our State; and, be it further

Resolved, That this resolution be printed in the Journal and a copy sent to him at his residence in Huntsville, Texas.

The resolution was read second time, and was adopted.

TO GRANT PERMISSION TO SUE THE STATE

The Chair laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 54, To grant J. W. Millard permission to sue the State.

Whereas, J. W. Millard of Nacogdoches County, Texas, alleges that in 1934 he made and entered into a contract with Nacogdoches County, Texas, for a certain right of way on State Highway No. 35, north of Nacogdoches in said County, and by virtue of said contract, he alleges that he executed a right of way deed to the State of Texas; and

Whereas, The said J. W. Millard alleges by virtue of the construction of said highway and overpass in connection therewith his property was damaged, and that by virtue of said contract and deed the State of Texas, the State Highway Department, and Nacogdoches County, Texas, agreed to pay said damages; and

Whereas, The said J. W. Millard is desirous of determining the liability of the State of Texas, the State Highway Department, and Nacogdoches County, Texas, through the courts of this State; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the said J. W. Millard be, and he is hereby, authorized to file suit against the State Highway Department and the State of Texas in the District Court of Nacogdoches

County, Texas, to determine the damages, if any, he is entitled to recover; and that in the event said suit is filed service of citation or other necessary process shall be had upon the Chairman of the State Highway Commission and the Attorney General of the State of Texas, and that said case shall be tried as all other civil cases reserving to either party the right of appeal, and if final judgment is rendered against the State of Texas and the State Highway Department, the State Highway Commission is hereby authorized and empowered to pay same out of State Highway Funds, and there is hereby appropriated out of State Highway Funds not otherwise appropriated a sufficient amount to pay said final judgment, if any, which might be recovered by the said J. W. Millard; be it further

Resolved, That this resolution is in no manner an admission of any liability, but is for the sole and only purpose of giving the authority and consent to sue the State of Texas and the State Highway Department.

The resolution having heretofore been read, and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was then adopted.

SENATE BILL NO. 32 ON PASSAGE TO THIRD READING

The Speaker laid before the House, on its passage to third reading,

S. B. No. 32, A bill to be entitled "An Act fixing the maximum daily volume of sweet gas which may be withdrawn from any common reservoir in this State producing sweet gas, directing the Railroad Commission of Texas to inquire into the production of sweet gas to determine whether or not drainage is taking place, etc., and directing the Commission to limit the production of sweet gas to the demand therefor for lawful uses, and declaring an emergency."

The bill having heretofore been read second time.

Mr. Boyer moved that Senate Bill No. 32 be tabled.

(Speaker in the Chair.)

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—85

Allen	Johnson of Tarrant
Allison	Kern
Alsup	Kersey
Bailey	Kinard
Baker of Grayson	Langdon
Boyer	Leonard
Bradbury	Leyendecker
Bradford	Lock
Bridgers	Mays
Broadfoot	McAlister
Brown of Cherokee	McDaniel
Burkett	McDonald
Burney	McFarland
Celaya	McMurry
Clark	Newell
Cockrell	Nicholson
Coleman	Pace
Colquitt	Pevehouse
Colson, Mrs.	Reader of Erath
Corry	Reaves
Dowell	Reed
Faulkner	Rhodes
Fuchs	Riviere
Galbreath	Roach
Gilmer	Roberts
Goodman	Robinson
Hale	Russell
Hamilton	Schuenemann
Hankamer	Segrist
Hardeman	Skiles
Hardin	Smith of Hopkins
Harper	Spencer
Harrell of Bastrop	Stinson
Harrell of Lamar	Stoll
Harris	Turner
Hartzog	Vale
Heflin	Voigt
Holland	Weldon
Howington	White
Hull	Wilson
Hunt	Wood
Isaacks	Wright
Johnson of Ellis	

Nays—38

Anderson	Felty
Bell	Fielden
Blankenship	Harp
Boethel	Keith
Bond	Kennedy
Boyd	Kerr
Bray	King
Cauthorn	Lehman
Cornett	Little
Crossley	Loggins
Daniel	McNamara
Davis of Upshur	Mohrmann
Dwyer	Morris

Pope	Taylor
Ragsdale	Tennant
Smith of Frio	Thornberry
Smith	Thornton
of Matagorda	Wells
Talbert	Worley
Tarwater	

Present—Not Voting

Brown	Gordon, Mrs.
of Nacogdoches	London
Bundy	Petsch
Cleveland	Vint
Davis of Jasper	Winfree

Absent

Baker	Montgomery
of Fort Bend	Oliver
Chambers	Piner
Dickison	Shell
Dickson	Waggoner
Ferguson	Westbrook

Absent—Excused

Dean	Howard
Derden	Monkhouse
Donaghey	Reader of Bexar

PAIRED

Mr. Bundy (present), who would vote "nay", with Mr. Donaghey (absent), who would vote "yea".

Mr. Petsch (present), who would vote "yea", with Mr. Baker of Fort Bend (absent), who would vote "nay".

Mr. Winfree (present), who would vote "yea", with Mr. Howard (absent), who would vote "nay".

Mr. London (present), who would vote "nay", with Mr. Dean (absent), who would vote "yea".

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 72

The Speaker announced the appointment of the following Conference Committee on House Bill No. 72: Messrs. Hull, Leonard, Wright, Bond and Smith of Frio.

EXTENDING INVITATION TO ADDRESS THE HOUSE

Mr. Felty offered the following resolution:

H. S. R. No. 307, Extending invitation to address the House.

Whereas, We have in the Capitol today several distinguished visitors, Senor Fuentes, a member of the Coa-

huila Legislature, Senor Hernandez, private secretary to the Governor of Coahuila, Senor Araujo, advisor to Governor Triana of Coahuila, and Senor Alonzo Perales of San Antonio, interpreter; and

Whereas, It is fitting that these distinguished visitors be invited to the Hall of the House of Representatives; now, therefore, be it

Resolved by the House of Representatives, That these gentlemen be escorted to the Speaker's rostrum, and that Senor Fuentes be invited to address the House briefly.

The resolution was read second time, and was adopted.

(Mr. Thornton in the Chair.)

In accordance with the above action, the Chair announced the following to escort the distinguished visitors to the Speaker's stand: Messrs. Felty, Anderson, Dwyer, Vale and Leyendecker.

The committee having escorted the visitors to the Speaker's stand, Mr. Thornton presented Hon. Fred Felty, who introduced Senor Alonzo Perales of San Antonio, who in turn introduced the following to the House: Senor Fuentes, a member of the Coahuila Legislature; Senor Hernandez, private secretary to the Governor of Coahuila; and Senor Araujo, advisor to Governor Triana of Coahuila.

ADOPTION OF CONFERENCE COMMITTEE REPORT ON SEN- ATE JOINT RESOLUTION NO. 6

Mrs. Gordon submitted the following Conference Committee Report on Senate Joint Resolution No. 6:

Austin, Texas, April 10, 1939.

Honorable Coke Stevenson, President
of the Senate

and
Honorable Emmett Morse, Speaker of
the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on Senate Joint Resolution No. 6, have had the same under consideration and we recommend to the Senate and to the House of Representatives that such resolution pass in the form attached hereto.

Respectfully submitted,
MOORE,

WINFIELD,
SHIVERS,
PACE,
WEINERT,

On the part of the Senate.

HEFLIN,
MONKHOUSE,
LITTLE,
GORDON, MRS.,
KEITH,

On the part of the House.

S. J. R. No. 6

A Joint Resolution, proposing an amendment to the Constitution of the State of Texas amending Section 26 of Article IV so as to provide that notaries public be appointed by the Secretary of State of the State of Texas; providing for the submission of this amendment to the voters of this State; and providing for the necessary appropriation to defray necessary expenses for the submission of this amendment.

Be It Resolved by the Legislature of the State of Texas:

Section 1. That Section 26 of Article IV of the Constitution of the State of Texas be amended so that the same will hereafter read as follows:

"Section 26.

(a) The Secretary of State shall appoint a convenient number of notaries public for each county who shall perform such duties as now are or may be prescribed by law. The qualifications of notaries public shall be prescribed by law.

(b) Nothing herein shall affect the terms of office of notaries public who have qualified for the present term prior to the taking effect of this amendment.

(c) Should the Legislature enact an enabling law hereto in anticipation of the adoption of this amendment, such law shall not be invalid by reason of its anticipatory character."

Section 2. The foregoing Constitutional Amendment shall be submitted to the qualified voters of the State of Texas at a special election to be held on the 5th day of November, 1940, at which election all voters favoring such proposed amendment shall write or have printed on their ballots the words:

"For amendment to the Constitution

of the State of Texas providing that notaries public be appointed by the Secretary of State of the State of Texas."

And those opposed shall write or have printed on their ballots the words:

"Against amendment to the Constitution of the State of Texas providing that notaries public be appointed by the Secretary of State of the State of Texas."

Section 3. The Governor of the State is hereby directed to issue the necessary proclamation for said election and have the same published as required by the Constitution and existing laws of the State.

Section 4. The sum of Ten Thousand (\$10,000.00) Dollars or so much thereof as may be necessary is hereby appropriated out of any funds in the Treasury of the State not otherwise appropriated to pay the expenses of said publication and election.

On motion of Mrs. Gordon, the Report was adopted by the following vote:

Yeas—107

Allen	Gilmer
Alsup	Goodman
Bailey	Gordon, Mrs.
Baker of Grayson	Hale
Bell	Hamilton
Blankenship	Hankamer
Boethel	Hardeman
Boyd	Hardin
Boyer	Harp
Bradbury	Harrell of Bastrop
Bradford	Harrell of Lamar
Bray	Harris
Bridgers	Heflin
Broadfoot	Holland
Brown of Cherokee	Howington
Bundy	Hull
Burkett	Hunt
Burney	Isaacks
Cauthorn	Johnson of Ellis
Celaya	Keith
Cleveland	Kennedy
Colquitt	Kern
Colson, Mrs.	Kersey
Crossley	Kinard
Davis of Jasper	King
Davis of Upshur	Langdon
Donaghey	Lehman
Dowell	Leonard
Faulkner	Little
Ferguson	Lock
Fielden	London
Fuchs	McAlister
Galbreath	McDonald

McFarland	Smith of Frio
McMurry	Smith of Hopkins
McNamara	Smith
Montgomery	of Matagorda
Newell	Spencer
Nicholson	Stoll
Petsch	Talbert
Pevehouse	Tarwater
Ragsdale	Taylor
Reader of Erath	Tennant
Reaves	Thornberry
Reed	Turner
Rhodes	Voigt
Riviere	Waggoner
Roach	Weldon
Roberts	Wells
Robinson	White
Russell	Wilson
Schuenemann	Winfree
Segrist	Wood
Shell	Wright

Nays—1

Morris

Present—Not Voting

Brown
of Nacogdoches

Absent

Allison	Kerr
Anderson	Leyendecker
Baker	Loggins
of Fort Bend	Mays
Bond	McDaniel
Chambers	Mohrmann
Clark	Oliver
Cockrell	Pace
Coleman	Piner
Cornett	Pope
Corry	Skiles
Dickson	Stinson
Dwyer	Thornton
Felty	Vale
Harper	Vint
Hartzog	Westbrook
Johnson of Tarrant	Worley

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Dickison	

EXTENDING CONGRATULATIONS OF THE HOUSE

Mr. Bray offered the following resolution:

H. S. R. No. 308, Extending congratulations of the House to Hon.

Houston McMurry and Miss Clara Vaughn.

Whereas, The majority of the Membership of the House reflects the congenial harmony directly attributable to the mellowing influence of the enviable status of connubial bliss; and

Whereas, One of our most esteemed and highly respected Members has at last determined to forsake the vicissitudes of single blessedness; and

Whereas, Like Lochinvar of old who rode out of the West on a milk-white steed to capture the heart of his maiden fair, our brother Member has demonstrated his romanticism and his amorous sincerity to the degree necessary to secure the final and unqualified consent of the lady of his choice; now, therefore, be it

Resolved by the House of Representatives, That this honorable body extend their congratulations to the Hon. Houston McMurry and their best wishes and felicitations to Miss Clara Vaughn of Henrietta, the future Mrs. Houston McMurry, on the occasion of their nuptial date of Sunday, June 4th.

The resolution was read second time, and was adopted.

TO SUSPEND CERTAIN RULES

Mr. Hale moved to suspend all necessary Rules, for the purpose of making a motion to print House Bill No. 651, on minority report.

The motion to suspend the Rules was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—67

Allen	Hamilton
Allison	Hardeman
Bailey	Harrell of Bastrop
Baker of Grayson	Harrell of Lamar
Bell	Harris
Boyd	Holland
Bradbury	Hunt
Brown of Cherokee	Isaacks
Brown of Nacogdoches	Johnson of Ellis
Cleveland	Keith
Coleman	Kennedy
Cornett	Kern
Crossley	Kerr
Davis of Upshur	Kersey
Dowell	King
Faulkner	Langdon
Ferguson	Lehman
Fielden	Lock
Fuchs	Loggins
Galbreath	London
Hale	Mays
	Mohrmann

Morris
Newell
Oliver
Pevehouse
Reader of Erath
Reaves
Riviere
Roach
Roberts
Robinson
Russell
Skiles

Smith
of Matagorda
Spencer
Stoll
Talbert
Tarwater
Tennant
Thornberry
Turner
Weldon
Wells
White
Wood

Nays—63

Alsop
Anderson
Baker
of Fort Bend
Blankenship
Boyer
Bradford
Bray
Bridgers
Broadfoot
Bundy
Burkett
Cauthorn
Celaya
Chambers
Clark
Colquitt
Colson, Mrs.
Corry
Davis of Jasper
Dickison
Dwyer
Felty
Goodman
Gordon, Mrs.
Hankamer
Hardin
Harper
Hartzog
Heflin
Howington
Hull

Johnson of Tarrant
Kinard
Leonard
Leyendecker
Little
McAlister
McDaniel
McDonald
McFarland
McMurry
McNamara
Montgomery
Nicholson
Pace
Petsch
Pope
Ragsdale
Reed
Rhodes
Schuenemann
Segrist
Shell
Smith of Frio
Stinson
Taylor
Thornton
Vale
Voigt
Waggoner
Wilson
Winfree
Wright

Absent

Boethel	Harp
Bond	Piner
Burney	Smith of Hopkins
Cockrell	Vint
Dickson	Westbrook
Gilmer	Worley

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

(Speaker in the Chair.)

SENATE BILL NO. 238 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 238, A bill to be entitled "An Act to amend Sections 5, 7, 8, 13, 15, 23 and 25 of Article 2997a of the Revised Civil Statutes of Texas, 1925, as amended by the Acts of the Forty-fifth Legislature, Second Called Session, 1937, by providing that the County Commissioners' Court of a county which has adopted voting machines shall provide voting machines for each voting precinct designated; etc., and declaring an emergency."

The bill was read second time.

Mr. Bray offered the following committee amendment to the bill:

Amend Senate Bill No. 238, by inserting after the word "by" in line 17 of Section 5, the following: "final adjudication before a court of competent jurisdiction and by".

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 238 was then passed to third reading.

SENATE BILL NO. 238 ON THIRD
READING

Mr. Blankenship moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 238 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Allen	Bridgers
Allison	Brown of Cherokee
Alsup	Bundy
Anderson	Burkett
Bailey	Burney
Baker	Cauthorn
of Fort Bend	Chambers
Baker of Grayson	Clark
Blankenship	Cleveland
Bond	Coleman
Boyd	Colquitt
Boyer	Colson, Mrs.
Bradbury	Cornett
Bradford	Corry
Bray	Crossley

Davis of Jasper	Morris
Davis of Upshur	Newell
Dickison	Nicholson
Faulkner	Oliver
Ferguson	Pace
Fielden	Petsch
Fuchs	Pevehouse
Galbreath	Pope
Gordon, Mrs.	Reader of Erath
Hale	Reaves
Hamilton	Reed
Hankamer	Rhodes
Hardeman	Riviere
Hardin	Roach
Harp	Roberts
Harper	Robinson
Harrell of Lamar	Russell
Hartzog	Schuenemann
Heflin	Segrist
Holland	Shell
Howington	Skiles
Hull	Smith of Frio
Hunt	Smith of Hopkins
Johnson of Ellis	Smith
Johnson of Tarrant	of Matagorda
Kennedy	Spencer
Kern	Stinson
Kerr	Stoll
Kersey	Talbert
Kinard	Tarwater
King	Taylor
Langdon	Tennant
Lehman	Thornberry
Leonard	Thornton
Leyendecker	Turner
Little	Vint
Lock	Waggoner
London	Weldon
Mays	Wells
McAlister	White
McDaniel	Wilson
McDonald	Winfree
McMurry	Wood
McNamara	Worley
Montgomery	Wright

Présent—Not Voting

Brown
of Nacogdoches

Absent

Bell	Harris
Boethel	Isaacks
Broadfoot	Keith
Celaya	Loggins
Cockrell	McFarland
Dickson	Mohrmann
Dowell	Piner
Dwyer	Ragsdale
Felty	Vale
Gilmer	Voigt
Goodman	Westbrook
Harrell of Bastrop	

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

The Speaker then laid Senate Bill No. 238 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—118

Allen	Heflin
Allison	Holland
Alsup	Howington
Anderson	Hull
Bailey	Hunt
Baker	Johnson of Ellis
of Fort Bend	Johnson of Tarrant
Baker of Grayson	Kennedy
Blankenship	Kern
Bond	Kerr
Boyd	Kersey
Boyer	Kinard
Bradbury	King
Bradford	Langdon
Bray	Lehman
Bridgers	Leonard
Brown of Cherokee	Leyendecker
Bundy	Little
Burkett	Lock
Burney	London
Cauthorn	Mays
Chambers	McAlister
Clark	McDaniel
Cleveland	McDonald
Coleman	McMurry
Colquitt	McNamara
Colson, Mrs.	Montgomery
Cornett	Morris
Corry	Newell
Crossley	Nicholson
Davis of Jasper	Oliver
Davis of Upshur	Pace
Dickison	Petsch
Faulkner	Pevehouse
Ferguson	Pope
Fielden	Reader of Erath
Fuchs	Reaves
Galbreath	Reed
Gordon, Mrs.	Rhodes
Hale	Riviere
Hamilton	Roach
Hankamer	Roberts
Hardeman	Robinson
Hardin	Russell
Harp	Schuenemann
Harper	Segrist
Harrell of Lamar	Shell
Hartzog	Skiles

Smith of Frio	Thornton
Smith of Hopkins	Turner
Smith	Vint
of Matagorda	Waggoner
Spencer	Weldon
Stinson	Wells
Stoll	White
Talbert	Wilson
Tarwater	Winfree
Taylor	Wood
Tennant	Worley
Thornberry	Wright

Present—Not Voting

Brown
of Nacogdoches

Absent

Bell	Harris
Boethel	Isaacks
Broadfoot	Keith
Celaya	Loggins
Cockrell	McFarland
Dickson	Mohrmann
Dowell	Piner
Dwyer	Ragsdale
Felty	Vale
Gilmer	Voigt
Goodman	Westbrook
Harrell of Bastrop	

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

SENATE BILL NO. 482 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 482, A bill to be entitled "An Act validating and approving all proceedings had by the Board of Directors of any water control and improvement district situated wholly within one county and containing not exceeding three thousand, five hundred (3,500) acres of land, and created for the purpose of the construction of improvements for a water purification and distribution system, etc., and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 482 ON THIRD READING

Mr. Riviere moved that the constitutional rule, requiring bills to be

read on three several days, be suspended, and that Senate Bill No. 482 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allen	Hunt
Allison	Johnson of Ellis
Alsup	Johnson of Tarrant
Anderson	Kennedy
Bailey	Kern
Baker	Kerr
of Fort Bend	Kersey
Baker of Grayson	Kinard
Bell	King
Blankenship	Langdon
Bond	Lehman
Boyd	Leonard
Boyer	Leyendecker
Bradbury	Little
Bradford	Lock
Bray	London
Bridgers	Mays
Brown of Cherokee	McAlister
Bundy	McDaniel
Burkett	McDonald
Burney	McMurry
Cauthorn	McNamara
Chambers	Mohrmann
Clark	Montgomery
Cleveland	Morris
Coleman	Nicholson
Colquitt	Pace
Colson, Mrs.	Petsch
Cornett	Pevehouse
Corry	Reader of Erath
Crossley	Reaves
Davis of Jasper	Reed
Davis of Upshur	Rhodes
Dickison	Riviere
Faulkner	Roach
Ferguson	Roberts
Fielden	Robinson
Fuchs	Russell
Galbreath	Schuenemann
Goodman	Segrist
Gordon, Mrs.	Shell
Hale	Skiles
Hamilton	Smith of Frio
Hankamer	Smith of Hopkins
Hardeman	Smith
Hardin	of Matagorda
Harp	Spencer
Harper	Stoll
Harrell of Bastrop	Talbert
Harrell of Lamar	Tarwater
Harris	Taylor
Hartzog	Tennant
Heflin	Thornberry
Howington	Thornton
Hull	Turner

Vint	Wilson
Voigt	Winfrey
Waggoner	Wood
Weldon	Worley
Wells	Wright
White	

Present—Not Voting

Brown
of Nacogdoches

Absent

Boethel	Keith
Broadfoot	Loggins
Celaya	McFarland
Cockrell	Newell
Dickson	Oliver
Dowell	Piner
Dwyer	Pope
Felty	Ragsdale
Gilmer	Stinson
Holland	Vale
Isaacks	Westbrook

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

The Speaker then laid Senate Bill No. 482 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—119

Allen	Coleman
Allison	Colquitt
Alsup	Colson, Mrs.
Anderson	Cornett
Bailey	Corry
Baker	Crossley
of Fort Bend	Davis of Jasper
Baker of Grayson	Davis of Upshur
Bell	Dickison
Blankenship	Faulkner
Bond	Ferguson
Boyd	Fielden
Boyer	Fuchs
Bradbury	Galbreath
Bradford	Goodman
Bray	Gordon, Mrs.
Bridgers	Hale
Brown of Cherokee	Hamilton
Bundy	Hankamer
Burkett	Hardeman
Burney	Hardin
Cauthorn	Harp
Chambers	Harper
Clark	Harrell of Bastrop
Cleveland	Harrell of Lamar

Harris	Reed
Hartzog	Rhodes
Heflin	Riviere
Howington	Roach
Hull	Roberts
Hunt	Robinson
Johnson of Ellis	Russell
Johnson of Tarrant	Schuenemann
Kennedy	Segrist
Kern	Shell
Kerr	Skiles
Kersey	Smith of Frio
Kinard	Smith of Hopkins
King	Smith
Langdon	of Matagorda
Lehman	Spencer
Leonard	Stoll
Leyendecker	Talbert
Little	Tarwater
Lock	Taylor
London	Tennant
Mays	Thornberry
McAlister	Thornton
McDaniel	Turner
McDonald	Vint
McMurry	Voigt
McNamara	Waggoner
Mohrmann	Weldon
Montgomery	Wells
Morris	White
Nicholson	Wilson
Pace	Winfree
Petsch	Wood
Pevehouse	Worley
Reader of Erath	Wright
Reaves	

Present—Not Voting

Brown
of Nacogdoches

Absent

Boethel	Keith
Broadfoot	Loggins
Celaya	McFarland
Cockrell	Newell
Dickson	Oliver
Dowell	Piner
Dwyer	Pope
Felty	Ragsdale
Gilmer	Stinson
Holland	Vale
Isaacks	Westbrook

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

HOUSE BILL NO. 838 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 838, A bill to be entitled "An Act to amend Article 909 of the Penal Code, as amended by Chapter 26, Acts, 1933, Forty-third Legislature, and declaring an emergency."

The bill was read second time.

Mr. Blankenship offered the following amendment to the bill:

Amend House Bill No. 838, page 1, line 38, of the printed bill, by inserting the word "game" after the word "which".

The amendment was adopted.

Mr. Shell offered the following committee amendment to the bill:

Amend House Bill No. 838, by striking out in paragraph 3 of Section I the following language: "after April 1st of each year", and by inserting in lieu thereof the following: "for a period of over sixty days".

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 838 was then passed to engrossment.

HOUSE BILL NO. 838 ON THIRD READING

Mr. Blankenship moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 838 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

Allison	Brown of Cherokee
Alsup	Brown
Anderson	of Nacogdoches
Baker of Grayson	Bundy
Bell	Burkett
Blankenship	Burney
Bond	Cauthorn
Boyd	Chambers
Boyer	Cleveland
Bradbury	Coleman
Bradford	Colquitt
Bridgers	Colson, Mrs.
Broadfoot	Cornett

Corry	McMurry
Crossley	McNamara
Davis of Jasper	Mohrmann
Davis of Upshur	Montgomery
Dickison	Morris
Dowell	Newell
Dwyer	Nicholson
Faulkner	Oliver
Felty	Pace
Ferguson	Petsch
Fielden	Pevehouse
Fuchs	Pope
Galbreath	Reader of Erath
Gordon, Mrs.	Reaves
Hamilton	Reed
Hankamer	Rhodes
Hardeman	Riviere
Harp	Roach
Harper	Roberts
Harrell of Bastrop	Robinson
Harrell of Lamar	Russell
Harris	Schuenemann
Holland	Segrist
Howington	Shell
Hull	Skiles
Hunt	Smith of Frio
Isaacks	Smith of Hopkins
Johnson of Ellis	Smith
Kennedy	of Matagorda
Kern	Spencer
Kerr	Stinson
Kersey	Stoll
Kinard	Tarwater
King	Taylor
Langdon	Thornberry
Lehman	Thornton
Leonard	Turner
Leyendecker	Vale
Little	Vint
Lock	Voigt
Loggins	Waggoner
London	Weldon
Mays	Wells
McAlister	White
McDaniel	Wilson
McDonald	Worley

Nays—9

Bailey	Talbert
Bray	Tennant
Clark	Wood
Hale	Wright
Hardin	

Absent

Allen	Gilmer
Baker	Goodman
of Fort Bend	Hartzog
Boethel	Heflin
Celaya	Johnson of Tarrant
Cockrell	Keith
Dickson	McFarland

Piner	Westbrook
Ragsdale	Winfree

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

The Speaker then laid House Bill No. 838 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—116

Allison	Harrell of Lamar
Alsup	Harris
Anderson	Holland
Baker of Grayson	Howington
Bell	Hull
Blankenship	Hunt
Bond	Isaacks
Boyd	Johnson of Ellis
Boyer	Kennedy
Bradbury	Kern
Bradford	Kerr
Bridgers	Kersey
Broadfoot	Kinard
Brown of Cherokee	King
Brown	Langdon
of Nacogdoches	Lehman
Bundy	Leonard
Burkett	Leyendecker
Burney	Little
Cauthorn	Lock
Chambers	Loggins
Cleveland	London
Coleman	Mays
Colquitt	McAlister
Colson, Mrs.	McDaniel
Cornett	McDonald
Corry	McMurry
Crossley	McNamara
Davis of Jasper	Mohrmann
Davis of Upshur	Montgomery
Dickison	Morris
Dowell	Newell
Dwyer	Nicholson
Faulkner	Oliver
Felty	Pace
Ferguson	Petsch
Fielden	Pevehouse
Fuchs	Pope
Galbreath	Reader of Erath
Gordon, Mrs.	Reaves
Hamilton	Reed
Hankamer	Rhodes
Hardeman	Riviere
Harp	Roach
Harper	Roberts
Harrell of Bastrop	Robinson

Russell	Taylor
Schuenemann	Thornberry
Segrist	Thornton
Shell	Turner
Skiles	Vale
Smith of Frio	Vint
Smith of Hopkins	Voigt
Smith	Waggoner
of Matagorda	Weldon
Spencer	Wells
Stinson	White
Stoll	Wilson
Tarwater	Worley

Nays—9

Bailey	Talbert
Bray	Tennant
Clark	Wood
Hale	Wright
Hardin	

Absent

Allen	Hartzog
Baker	Heflin
of Fort Bend	Johnson of Tarrant
Boethel	Keith
Celaya	McFarland
Cockrell	Piner
Dickson	Ragsdale
Gilmer	Westbrook
Goodman	Winfree

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

HOUSE BILL NO. 1099 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1099, A bill to be entitled "An Act validating and approving all proceedings had by cities and towns in amending their corporate charters so as to eliminate any requirements in said charter that any portion of the annual ad valorem tax levied in said city or town shall be provided for or set apart for the use of the public free schools in said city or town, provided this Act shall only apply to cities and towns acting under a home rule charter and which charter sought to be amended provides that a portion of the annual ad valorem taxes levied shall be set apart for the use of the public free schools; and further provides that this Act shall not apply to such cities and towns un-

less such amendment to the charter was voted during the year 1938 and prior to the voting of said amendment the control of the public free schools in such cities and towns had been separated from the jurisdiction of said cities and towns and such public free schools were being operated under the control and jurisdiction of an independent school district, nor shall this Act be effective as to any city or town which did not during the year 1938 and prior to the voting of said charter amendment hold an election at which a majority of the votes cast authorized the issuance by said city or town of bonds to secure funds for making public improvements nor to any city or town in which the assessed value of property for the purposes of taxation as shown by the tax rolls of said city or town for the year 1938 was less than Six Million, Seven Hundred and Eighty Thousand (\$6,780,000.00) Dollars or more than Six Million, Eight Hundred and Fifty Thousand (\$6,850,000.00) Dollars, and repealing Senate Bill No. 439, Acts of the Regular Session of the Forty-sixth Legislature; and further provided this Act shall not apply to any such proceedings the validity of which has been contested or attacked in any pending suit or litigation, and declaring an emergency."

The bill was read second time.

Mr. Kinard offered the following amendment to the bill:

Amend House Bill No. 1099, by striking out all below the enacting clause, and inserting in lieu thereof, the following:

"Section 1. That all elections, election orders, election proceedings, and city ordinances by which any city or town having a home rule charter has attempted to amend said charter so as to eliminate any requirement in said charter that any portion of the annual ad valorem tax levied in said city or town shall be provided for or set apart for the use of the public free schools in said city or town, which election resulted in a majority of the votes cast being favorable to the amendment of said charter, shall be deemed and held valid in all respects and to the same extent as if each and all things done by said city or town in attempting to amend said charter had been done and performed in strict compliance with law, and each such charter amendment so

adopted or attempted to be adopted are hereby fully validated, ratified, and confirmed, and are hereby declared to be in full force and effect as if adopted in strict compliance with all the requirements of the laws of the State of Texas and the charters of such cities and towns.

Section 2. Further provided that this Act shall only apply to cities and towns acting under a home rule charter and which charter sought to be amended provided that a portion of the annual ad valorem taxes levied shall be set apart for the use of the public free schools; and further provided that this Act shall not apply to such cities and towns unless, prior to the voting of said amendment, the control of the public free schools in such cities and towns had been separated from the jurisdiction of said cities and towns and such public free schools were at the time of the holding of such election being operated under the control and jurisdiction of an independent school district.

Section 3. That Senate Bill No. 439, Acts of the Regular Session of the Forty-sixth Legislature, and approved by the Governor of the State of Texas on the 15th day of May, 1939, be and the same is hereby specifically repealed.

Section 4. Provided, however, that the provisions of this Act shall not apply to any such proceedings, the validity of which has been contested or attacked in any pending suit or litigation.

Section 5. The fact that many cities and towns in the State of Texas have attempted to amend their city charters under the provisions of Article 1170 of the Revised Civil Statutes of Texas of 1925, and, whereas, the provisions of said Article 1170 as contained in the Revised Civil Statutes of 1925 provide that notice of an election to amend a city charter shall be given as provided in the second Article of Chapter 13, Title 28, and said second Article makes no provision for giving such notice, creates uncertainty in the law relating to the amendment of city charters; and, whereas, many cities and towns in Texas operating under home rule charters have provisions in such charters requiring that a portion of the ad valorem taxes assessed shall be paid to the use of the public free

schools, and said public free schools in said cities are now under the jurisdiction of independent school districts and said provisions of such charters create an uncertainty as to the taxing powers of such cities, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1099 was then passed to engrossment.

HOUSE BILL NO. 1099 ON THIRD READING

Mr. Kinard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1099 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—124

Allen	Cornett
Allison	Corry
Alsup	Crossley
Anderson	Davis of Jasper
Bailey	Davis of Upshur
Baker of Grayson	Dickison
Bell	Faulkner
Blankenship	Felty
Bond	Ferguson
Boyd	Fielden
Boyer	Fuchs
Bradbury	Galbreath
Bradford	Gordon, Mrs.
Bray	Hale
Bridgers	Hamilton
Broadfoot	Hankamer
Brown of Cherokee	Hardeman
Bundy	Hardin
Burkett	Harp
Burney	Harper
Cauthorn	Harrell of Bastrop
Chambers	Harrell of Lamar
Clark	Harris
Cleveland	Heflin
Cockrell	Holland
Coleman	Howington
Colquitt	Hull
Colson, Mrs.	Hunt

		Yeas—124	
Isaacks	Rhodes	Allen	Kerr
Johnson of Ellis	Riviere	Allison	Kersey
Johnson of Tarrant	Roberts	Alsup	Kinard
Kennedy	Robinson	Anderson	King
Kern	Russell	Bailey	Langdon
Kerr	Schuenemann	Baker of Grayson	Lehman
Kersey	Segrist	Bell	Leonard
Kinard	Shell	Blankenship	Leyendecker
King	Skiles	Bond	Little
Langdon	Smith of Frio	Boyd	Lock
Lehman	Smith of Hopkins	Boyer	Loggins
Leonard	Smith	Bradbury	London
Leyendecker	of Matagorda	Bradford	Mays
Little	Spencer	Bray	McAlister
Lock	Stinson	Bridgers	McDaniel
Loggins	Stoll	Broadfoot	McDonald
London	Talbert	Brown of Cherokee	McMurry
Mays	Tarwater	Bundy	McNamara
McAlister	Taylor	Burkett	Mohrmann
McDaniel	Tennant	Burney	Montgomery
McDonald	Thornberry	Cauthorn	Morris
McMurry	Thornton	Chambers	Newell
McNamara	Turner	Clark	Nicholson
Mohrmann	Vale	Cleveland	Pace
Montgomery	Vint	Cockrell	Petsch
Morris	Waggoner	Coleman	Pevehouse
Newell	Weldon	Colquitt	Pope
Nicholson	Wells	Colson, Mrs.	Reader of Erath
Pace	Westbrook	Cornett	Reaves
Petsch	White	Corry	Reed
Pevehouse	Wilson	Crossley	Rhodes
Pope	Wood	Davis of Jasper	Riviere
Reader of Erath	Worley	Davis of Upshur	Roberts
Reaves	Wright	Dickison	Robinson
Reed		Faulkner	Russell
Present—Not Voting		Felty	Schuenemann
Brown	Dowell	Ferguson	Segrist
of Nacogdoches		Fielden	Shell
Absent		Fuchs	Skiles
Baker	Keith	Galbreath	Smith of Frio
of Fort Bend	McFarland	Gordon, Mrs.	Smith of Hopkins
Boethel	Oliver	Hale	Smith
Celaya	Piner	Hamilton	of Matagorda
Dickson	Ragsdale	Hankamer	Spencer
Dwyer	Roach	Hardeman	Stinson
Gilmer	Voigt	Hardin	Stoll
Goodman	Winfree	Harp	Talbert
Hartzog		Harper	Tarwater
Absent—Excused		Harrell of Bastrop	Taylor
Daniel	Howard	Harrell of Lamar	Tennant
Dean	Monkhouse	Harris	Thornberry
Derden	Reader of Bexar	Heflin	Thornton
Donaghey		Holland	Turner
The Speaker then laid House Bill		Howington	Vale
No. 1099 before the House on third		Hull	Vint
reading and final passage.		Hunt	Waggoner
The bill was read third time, and		Isaacks	Weldon
was passed by the following vote:		Johnson of Ellis	Wells
		Johnson of Tarrant	Westbrook
		Kennedy	White
		Kern	Wilson

Wood	Wright
Worley	
Present—Not Voting	
Brown	Dowell
of Nacogdoches	
Absent	
Baker	Keith
of Fort Bend	McFarland
Boethel	Oliver
Celaya	Piner
Dickson	Ragsdale
Dwyer	Roach
Gilmer	Voigt
Goodman	Winfree
Hartzog	
Absent—Excused	
Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

HOUSE BILL NO. 1107 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1107, A bill to be entitled "An Act validating, confirming, approving and legalizing all bonds heretofore authorized by the necessary vote of the qualified voters of all cities or towns at an election, or elections held during the year 1938; providing this Act shall only apply to cities and towns acting under a home rule charter and which city or town did not at the time of the holding of said election, or elections, own any of the following utilities from which it could derive revenue: water system, sanitary sewer system, electric light system, or natural gas distribution system; repealing Senate Bill No. 438, Acts of the Regular Session of the Forty-sixth Legislature; and provided this Act shall not apply to any such bond the validity of which has been contested or attacked in any pending suit or litigation, and declaring an emergency."

The bill was read second time.

Mr. Kinard offered the following amendment to the bill:

Amend House Bill No. 1107, by striking out all below the enacting clause, and inserting in lieu thereof, the following:

"Section 1. All bonds heretofore authorized by the necessary vote of

the qualified voters of all cities or towns and all bond elections held in such cities or towns for the purpose of voting such bonds wherein the necessary majority of the voters voted in favor thereof, and all orders, resolutions and ordinances passed or attempted to be passed by the governing body of such cities or towns as shown by the minutes of such governing body, are hereby validated.

"Sec. 2. Provided, however, that this Act shall not apply except as to bonds authorized by elections held during the year 1938 in cities or towns which at the time of the holding of such election did not own any of the following utilities from which it could derive revenue: water system, sanitary sewer system, electric light system, or natural gas distribution system.

"Sec. 3. Provided further, however, that provisions of this Act shall not apply to any such proceedings or any bonds issued thereunder, the validity of which has been contested or attacked in any pending suit or litigation.

"Sec. 4. That Senate Bill No. 438, Acts of the Regular Session of the Forty-sixth Legislature, and approved by the Governor of the State of Texas on the 11th day of May 1939, be, and the same is hereby specifically repealed.

"Sec. 5. The fact that many cities and towns in the State of Texas have authorized the issuance of bonds wherein, in some instances by inadvertence or oversight requirements of law have not been fully complied with and the further fact that the will of the qualified voters in such cities or towns may be thwarted because of such irregularities and the failure on the part of such cities or towns to be able to sell their bonds because of such irregularities, creates an emergency and imperative public necessity that the rule requiring that bills be read on three separate days in each House be suspended, and the said rule is hereby suspended and this Act shall become effective immediately from and after its passage, and it is so enacted."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and with the body of the bill.

House Bill No. 1107 was then passed to engrossment.

HOUSE BILL NO. 1107 ON THIRD
READING

Mr. Kinard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1107 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allen	Hull
Allison	Hunt
Anderson	Johnson of Tarrant
Bailey	Kennedy
Baker of Grayson	Kern
Bell	Kerr
Blankenship	Kersey
Bond	Kinard
Boyd	King
Boyer	Langdon
Bradbury	Lehman
Bradford	Leonard
Bray	Leyendecker
Broadfoot	Little
Brown of Cherokee	Lock
Burkett	Loggins
Burney	London
Cauthorn	Mays
Celaya	McAlister
Chambers	McDaniel
Clark	McDonald
Cleveland	McMurry
Cockrell	McNamara
Coleman	Mohrmann
Colquitt	Montgomery
Colson, Mrs.	Morris
Cornett	Nicholson
Corry	Pace
Crossley	Petsch
Davis of Jasper	Pevehouse
Davis of Upshur	Pope
Dickison	Reader of Bexar
Dowell	Reader of Erath
Faulkner	Reaves
Felty	Reed
Ferguson	Riviere
Fielden	Roach
Galbreath	Roberts
Gordon, Mrs.	Robinson
Hale	Russell
Hamilton	Schuenemann
Hankamer	Segrist
Hardeman	Shell
Hardin	Skiles
Harp	Smith of Frio
Harper	Smith of Hopkins
Harrell of Bastrop	Smith
Harrell of Lamar	of Matagorda
Harris	Spencer
Heflin	Stinson
Howington	Talbert

Tarwater	Waggoner
Taylor	Weldon
Tennant	Wells
Thornberry	Westbrook
Thornton	White
Turner	Wilson
Vale	Wood
Vint	Worley
Voigt	Wright

Present—Not Voting

Brown
of Nacogdoches

Absent

Alsup	Holland
Baker	Isaacks
of Fort Bend	Johnson of Ellis
Boethel	Keith
Bridgers	McFarland
Bundy	Newell
Dickson	Oliver
Dwyer	Piner
Fuchs	Ragsdale
Gilmer	Rhodes
Goodman	Stoll
Hartzog	Winfree

Absent—Excused

Daniel	Donaghey
Dean	Howard
Derden	Monkhouse

The Speaker then laid House Bill No. 1107 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—118

Allen	Colson, Mrs.
Allison	Cornett
Anderson	Corry
Bailey	Crossley
Baker of Grayson	Davis of Jasper
Bell	Davis of Upshur
Blankenship	Dickison
Bond	Faulkner
Boyd	Felty
Boyer	Ferguson
Bradbury	Fielden
Bradford	Galbreath
Bray	Gordon, Mrs.
Broadfoot	Hale
Brown of Cherokee	Hamilton
Burkett	Hankamer
Burney	Hardeman
Cauthorn	Hardin
Celaya	Harp
Chambers	Harper
Clark	Harrell of Bastrop
Cleveland	Harrell of Lamar
Cockrell	Harris
Coleman	Heflin
Colquitt	Howington
	Hull

Hunt	Riviere
Johnson of Tarrant	Roach
Kennedy	Roberts
Kern	Robinson
Kerr	Russell
Kersey	Schuenemann
Kinard	Segrist
King	Shell
Langdon	Skiles
Lehman	Smith of Frio
Leonard	Smith of Hopkins
Leyendecker	Smith
Little	of Matagorda
Lock	Spencer
Loggins	Stinson
London	Talbert
Mays	Tarwater
McAlister	Taylor
McDaniel	Tennant
McDonald	Thornberry
McMurry	Thornton
McNamara	Turner
Mohrmann	Vale
Montgomery	Vint
Morris	Voigt
Nicholson	Waggoner
Pace	Weldon
Petsch	Wells
Pevehouse	Westbrook
Pope	White
Reader of Bexar	Wilson
Reader of Erath	Wood
Reaves	Worley
Reed	Wright

Present—Not Voting

Brown
of Nacogdoches

Absent

Alsup	Holland
Baker	Isaacks
of Fort Bend	Johnson of Ellis
Boethel	Keith
Bridgers	McFarland
Bundy	Newell
Dickson	Oliver
Dwyer	Piner
Fuchs	Ragsdale
Gilmer	Rhodes
Goodman	Stoll
Hartzog	Winfree

Absent—Excused

Daniel	Dowell
Dean	Howard
Derden	Monkhouse
Donaghey	

HOUSE BILL NO. 1108 ON SECOND READING

The Speaker laid before the House, on its second reading, and passage to engrossment,

H. B. No. 1108, A bill to be entitled "An Act providing that taxes levied by other entities under and by virtue of Article 3, Section 52, of the Constitution shall never be reckoned in determining the power of any city or town to levy taxes; providing that in the event of conflict between this Act and any provisions of a city charter or of special law constituting a charter of a city the provisions of this Act shall prevail, and declaring an emergency."

The bill was read second time.

Mr. Kinard offered the following amendment to the bill:

Amend House Bill No. 1108 by striking out all below the enacting clause and inserting in lieu thereof, the following:

"Section 1. That the taxes levied by any county, any political subdivision of a county, any number of adjoining counties, any political subdivision of the State, or any defined district under or by virtue of Article 3, Section 52 of the Constitution of the State of Texas, shall not be reckoned in determining the power of any city or town to levy city taxes, irrespective whether such city or town is located wholly or partly within such county, number of adjoining counties, political subdivision or defined districts, or whether such political subdivision or defined district be included wholly or partly within such city.

"Sec. 2. In case of conflict between this Act and any city charter or any special law constituting the charter of a city, the provisions of this Act shall prevail.

"Sec. 3. Provided however that this Act shall not apply except as to cities and towns acting under a home rule charter and which has, prior to the effective date of this Act, attempted to amend its charter and which at the time of said charter amendment election did not own any of the following utilities from which it could derive revenue: water system, sanitary sewer system, electric light system or natural gas distribution system.

"Sec. 4. The fact that the charters of certain home rule cities contain provisions which might be construed to mean that such cities, in determining their taxing power, must reckon taxes levied by other entities under Article 3, Section 52 of the Constitution and the fact that certain of such

cities are being delayed by such provisions in the issuance of bonds for public projects and for the relief of unemployment create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three separate days in each House be suspended, and it is hereby suspended and that this Act become effective immediately from and after its passage, and it is so enacted."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and with the body of the bill.

House Bill No. 1108 was then passed to engrossment.

HOUSE BILL NO. 1108 ON THIRD READING

Mr. Kinard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1108 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

Allison	Dickison
Alsup	Dowell
Anderson	Dwyer
Bailey	Faulkner
Baker of Grayson	Ferguson
Bell	Fielden
Blankenship	Galbreath
Bond	Gordon, Mrs.
Boyd	Hale
Boyer	Hamilton
Bradbury	Hankamer
Bradford	Hardeman
Bray	Hardin
Bridgers	Harp
Broadfoot	Harper
Brown	Harrell of Bastrop
of Nacogdoches	Harrell of Lamar
Burkett	Harris
Burney	Heflin
Cauthorn	Howington
Chambers	Hull
Cleveland	Hunt
Coleman	Isaacks
Colquitt	Johnson of Tarrant
Colson, Mrs.	Kennedy
Cornett	Kern
Corry	Kerr
Crossley	Kersey
Davis of Jasper	Kinard
Davis of Upshur	King

Langdon	Schuenemann
Lehman	Segrist
Leonard	Shell
Leyendecker	Skiles
Little	Smith of Frio
Lock	Smith of Hopkins
London	Smith
Mays	of Matagorda
McAlister	Spencer
McDaniel	Stinson
McDonald	Stoll
McMurry	Talbert
McNamara	Tarwater
Mohrmann	Taylor
Montgomery	Tennant
Morris	Thornberry
Newell	Thornton
Nicholson	Turner
Pace	Vale
Petsch	Vint
Pevehouse	Voigt
Pope	Waggoner
Reader of Erath	Weldon
Reaves	Wells
Reed	White
Roach	Wilson
Roberts	Wood
Robinson	Worley
Russell	Wright

Present—Not Voting

Felty

Absent

Allen	Hartzog
Baker	Holland
of Fort Bend	Johnson of Ellis
Boethel	Keith
Brown of Cherokee	Loggins
Bundy	McFarland
Celaya	Oliver
Clark	Piner
Cockrell	Ragsdale
Dickson	Rhodes
Fuchs	Riviere
Gilmer	Westbrook
Goodman	Winfree

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

The Speaker then laid House Bill No. 1108 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—116

Allison	Anderson
Alsup	Bailey

Baker of Grayson	Lehman
Bell	Leonard
Blankenship	Leyendecker
Bond	Little
Boyd	Lock
Boyer	London
Bradbury	Mays
Bradford	McAlister
Bray	McDaniel
Bridgers	McDonald
Broadfoot	McMurry
Brown	McNamara
of Nacogdoches	Mohrmann
Burkett	Montgomery
Burney	Morris
Cauthorn	Newell
Chambers	Nicholson
Cleveland	Pace
Coleman	Petsch
Colquitt	Pevehouse
Colson, Mrs.	Pope
Cornett	Reader of Erath
Corry	Reaves
Crossley	Reed
Davis of Jasper	Roach
Davis of Upshur	Roberts
Dickison	Robinson
Dowell	Russell
Dwyer	Schuenemann
Faulkner	Segrist
Ferguson	Shell
Fielden	Skiles
Galbreath	Smith of Frio
Gordon, Mrs.	Smith of Hopkins
Hale	Smith
Hamilton	of Matagorda
Hankamer	Spencer
Hardeman	Stinson
Hardin	Stoll
Harp	Talbert
Harper	Tarwater
Harrell of Bastrop	Taylor
Harrell of Lamar	Tennant
Harris	Thornberry
Heflin	Thornton
Howington	Turner
Hull	Vale
Hunt	Vint
Isaacks	Voigt
Johnson of Tarrant	Waggoner
Kennedy	Weldon
Kern	Wells
Kerr	White
Kersey	Wilson
Kinard	Wood
King	Worley
Langdon	Wright

Present—Not Voting

Felty

Absent

Allen	Hartzog
Baker	Holland
of Fort Bend	Johnson of Ellis
Boethel	Keith
Brown of Cherokee	Loggins
Bundy	McFarland
Celaya	Oliver
Clark	Piner
Cockrell	Ragsdale
Dickson	Rhodes
Fuchs	Riviere
Gilmer	Westbrook
Goodman	Winfree

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

HOUSE BILL NO. 1114 ON SECOND READING

The Speaker laid before the House, on its second reading, and passage to engrossment,

H. B. No. 1114, A bill to be entitled "An Act to prohibit the taking of fish in Kimble, Kerr, Edwards, Real, Sutton, Bandera, Mason, Menard, Blanco, Llano, Kendall, or Gillespie Counties with any device equipped with more than two (2) hooks, prohibiting the use of floats except in certain cases, except artificial bait used with a rod and reel and excepting a twenty (20) foot minnow seine for the purpose of taking minnows for bait; providing the size limits and bag limits for fish taken in said Counties; providing a closed season from March 1st to June 1st; prohibiting the sale of any fresh water fish in said Counties; providing a penalty for any violation of this Act; repealing all General or Special Laws, in so far as they conflict with this Act; excepting any portion of Medina Lake, Buchanan Lake and Inks Lake from the provisions of this Act, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1114 ON THIRD READING

Mr. Gilmer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1114 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allen	Kerr
Allison	Kersey
Alsup	Kinard
Anderson	King
Bailey	Langdon
Baker of Grayson	Lehman
Bell	Leonard
Boyd	Leyendecker
Boyer	Little
Bradbury	Lock
Bradford	London
Bray	Mays
Bridgers	McAlister
Broadfoot	McDaniel
Bundy	McDonald
Burkett	McMurry
Burney	McNamara
Cauthorn	Mohrmann
Celaya	Montgomery
Chambers	Morris
Clark	Newell
Cleveland	Nicholson
Coleman	Oliver
Colquitt	Pace
Colson, Mrs.	Petsch
Cornett	Pevehouse
Corry	Pope
Crossley	Reader of Erath
Davis of Jasper	Reaves
Davis of Upshur	Reed
Dickison	Roach
Faulkner	Roberts
Felty	Robinson
Ferguson	Russell
Fielden	Schuenemann
Fuchs	Segrist
Galbreath	Shell
Goodman	Skiles
Gordon, Mrs.	Smith of Frio
Hale	Smith of Hopkins
Hamilton	Smith
Hankamer	of Matagorda
Hardeman	Spencer
Hardin	Stinson
Harp	Stoll
Harper	Talbert
Harrell of Bastrop	Tarwater
Harrell of Lamar	Taylor
Harris	Thornberry
Heflin	Thornton
Holland	Turner
Howington	Vale
Hull	Vint
Hunt	Waggoner
Isaacks	Weldon
Johnson of Tarrant	Wells
Kennedy	Westbrook
Kern	White

Wilson
Wood

Worley
Wright

Present—Not Voting

Brown	Dowell
of Nacogdoches	
Absent	
Baker	Johnson of Ellis
of Fort Bend	Keith
Blankenship	Loggins
Boethel	McFarland
Bond	Piner
Brown of Cherokee	Ragsdale
Cockrell	Rhodes
Dickson	Riviere
Dwyer	Tennant
Gilmer	Voigt
Hartzog	Winfree

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

The Speaker then laid House Bill No. 1114 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—119

Allen	Davis of Jasper
Allison	Davis of Upshur
Alsup	Dickison
Anderson	Faulkner
Bailey	Felty
Baker of Grayson	Ferguson
Bell	Fielden
Boyd	Fuchs
Boyer	Galbreath
Bradbury	Goodman
Bradford	Gordon, Mrs.
Bray	Hale
Bridgers	Hamilton
Broadfoot	Hankamer
Bundy	Hardeman
Burkett	Hardin
Burney	Harp
Cauthorn	Harper
Celaya	Harrell of Bastrop
Chambers	Harrell of Lamar
Clark	Harris
Cleveland	Heflin
Coleman	Holland
Colquitt	Howington
Colson, Mrs.	Hull
Cornett	Hunt
Corry	Isaacks
Crossley	Johnson of Tarrant

Kennedy	Roach
Kern	Roberts
Kerr	Robinson
Kersey	Russell
Kinard	Schuenemann
King	Segrist
Langdon	Shell
Lehman	Skiles
Leonard	Smith of Frio
Leyendecker	Smith of Hopkins
Little	Smith
Lock	of Matagorda
London	Spencer
Mays	Stinson
McAlister	Stoll
McDaniel	Talbert
McDonald	Tarwater
McMurry	Taylor
McNamara	Thornberry
Mohrmann	Thornton
Montgomery	Turner
Morris	Vale
Newell	Vint
Nicholson	Waggoner
Oliver	Weldon
Pace	Wells
Petsch	Westbrook
Pevehouse	White
Pope	Wilson
Reader of Erath	Wood
Reaves	Worley
Reed	Wright

Present—Not Voting

Brown	Dowell
of Nacogdoches	

Absent

Baker	Johnson of Ellis
of Fort Bend	Keith
Blankenship	Loggins
Boethel	McFarland
Bond	Piner
Brown of Cherokee	Ragsdale
Cockrell	Rhodes
Dickson	Riviere
Dwyer	Tennant
Gilmer	Voigt
Hartzog	Winfree

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

HOUSE BILL NO. 1121 ON SECOND READING

Mr. Smith of Frio moved that the constitutional rule, requiring bills to be read on three several days, be sus-

pending, and that House Bill No. 1121 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allison	Howington
Alsup	Hunt
Anderson	Johnson of Tarrant
Bailey	Kennedy
Baker of Grayson	Kern
Bell	Kerr
Blankenship	Kersey
Bond	King
Boyd	Lehman
Boyer	Leonard
Bradbury	Leyendecker
Bradford	Little
Bray	Lock
Bridgers	London
Brown of Cherokee	Mays
Brown	McAlister
of Nacogdoches	McDaniel
Bundy	McMurry
Burkett	McNamara
Burney	Mohrmann
Cauthorn	Montgomery
Celaya	Morris
Chambers	Newell
Clark	Nicholson
Cleveland	Pace
Coleman	Petsch
Colquitt	Pevehouse
Colson, Mrs.	Pope
Cornett	Reader of Erath
Corry	Reaves
Crossley	Reed
Davis of Jasper	Rhodes
Davis of Upshur	Riviere
Dickison	Roach
Dwyer	Roberts
Faulkner	Robinson
Felty	Russell
Ferguson	Schuenemann
Fielden	Segrist
Fuchs	Shell
Galbreath	Skiles
Goodman	Smith of Frio
Gordon, Mrs.	Smith of Hopkins
Hale	Smith
Hamilton	of Matagorda
Hankamer	Spencer
Hardeman	Stoll
Hardin	Talbert
Harp	Tarwater
Harper	Taylor
Harrell of Bastrop	Tennant
Harrell of Lamar	Thornberry
Harris	Thornton
Heflin	Turner
Holland	Vale

Vint
Voigt
Waggoner
Weldon
Wells
Westbrook

White
Wilson
Wood
Worley
Wright

Present—Not Voting

Dowell

Absent

Allen
Baker
of Fort Bend
Boethel
Broadfoot
Cockrell
Dickson
Gilmer
Hartzog
Hull
Isaacks
Johnson of Ellis

Keith
Kinard
Langdon
Loggins
McDonald
McFarland
Oliver
Piner
Ragsdale
Stinson
Winfree

Absent—Excused

Daniel
Dean
Derden
Donaghey

Howard
Monkhouse
Reader of Bexar

The Speaker then laid before the House, on its second reading, and passage to engrossment,

H. B. No. 1121, A bill to be entitled "An Act creating a Special Road Law for McMullen County, Texas, providing that said County may fund or refund the indebtedness outstanding against its road and bridge fund as of May 15th, 1939, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; providing this law shall be cumulative of General Laws on the subject of roads and bridges and General Laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1121 ON THIRD READING

The Speaker then laid House Bill No. 1121 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—119

Allison	Kersey
Alsup	King
Anderson	Lehman
Bailey	Leonard
Baker of Grayson	Leyendecker
Bell	Little
Blankenship	Lock
Bond	London
Boyd	Mays
Boyer	McAlister
Bradbury	McDaniel
Bradford	McMurry
Bray	McNamara
Bridgers	Mohrmann
Brown of Cherokee	Montgomery
Brown	Morris
of Nacogdoches	Newell
Bundy	Nicholson
Burkett	Pace
Burney	Petsch
Cauthorn	Pevehouse
Celaya	Pope
Chambers	Reader of Erath
Clark	Reaves
Cleveland	Reed
Coleman	Rhodes
Colquitt	Riviere
Colson, Mrs.	Roach
Cornett	Roberts
Corry	Robinson
Crossley	Russell
Davis of Jasper	Schuenemann
Davis of Upshur	Segrist
Dickison	Shell
Dwyer	Skiles
Faulkner	Smith of Frio
Felty	Smith of Hopkins
Ferguson	Smith
Fielden	of Matagorda
Fuchs	Spencer
Galbreath	Stoll
Goodman	Talbert
Gordon, Mrs.	Tarwater
Hale	Taylor
Hamilton	Tennant
Hankamer	Thornberry
Hardeman	Thornton
Hardin	Turner
Harp	Vale
Harper	Vint
Harrell of Bastrop	Voigt
Harrell of Lamar	Waggoner
Harris	Weldon
Heflin	Wells
Holland	Westbrook
Howington	White
Hunt	Wilson
Johnson of Tarrant	Wood
Kennedy	Worley
Kern	Wright
Kerr	

Present—Not Voting

Dowell

Absent

Allen	Keith
Baker	Kinard
of Fort Bend	Langdon
Boethel	Loggins
Broadfoot	McDonald
Cockrell	McFarland
Dickson	Oliver
Gilmer	Piner
Hartzog	Ragsdale
Hull	Stinson
Isaacks	Winfree
Johnson of Ellis	

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

HOUSE BILL NO. 1105 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1105, A bill to be entitled "An Act providing for the construction of a State office building or buildings and for the acquisition of necessary sites therefor; providing for the issuance of bonds of the State of Texas for such purpose; providing for the payment of such bonds and making the necessary appropriations therefor; providing for the investment of the Permanent School Fund in such bonds; declaring the Act to be severable; providing that the Act shall be and become effective upon the effective date of a Constitutional amendment proposed by House Joint Resolution No. 44 to add Section 49-A to Article III of the Constitution of Texas, and declaring an emergency."

The bill was read second time.

Mr. Bridgers offered the following amendment to the bill:

Amend House Bill No. 1105, page 3, by striking out the last three words on line 15 and all of lines 16 to 21 inclusive on said page 3, and inserting in lieu thereof, the following:

"The Board is further authorized to construct such building or buildings on any properties owned by the State in the City of Austin except upon the Capitol grounds."

And further amend said House Bill No. 1105, page 3 thereof, by striking out of line 24, the words: "And the acquisition of necessary sites therefor."

And further amend House Bill No. 1105, on page 3, by striking out on line 39 and line 40 the following words: "And for the acquisition or purchase of necessary sites therefor."

BRIDGERS,
McDONALD,
ISAACKS,
McFARLAND,
DERDEN,
REAVES,
HARDEMAN,
ROACH,
WESTBROOK,
KING,
DAVIS of Jasper,
GILMER,
READER of Erath,
ROBERTS,
WELDON.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1105 was then passed to engrossment.

HOUSE BILL NO. 1105 ON THIRD
READING

Mr. Petsch moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1105 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Allen	Brown
Allison	of Nacogdoches
Alsup	Bundy
Anderson	Burkett
Bailey	Burney
Baker of Grayson	Cauthorn
Bell	Celaya
Blankenship	Chambers
Bond	Clark
Boyd	Cleveland
Boyer	Colson, Mrs.
Bradbury	Corbett
Bradford	Corry
Bray	Crossley
Broadfoot	Davis of Jasper

Davis of Upshur	Mohrmann
Dickison	Montgomery
Dowell	Morris
Faulkner	Newell
Felty	Nicholson
Ferguson	Oliver
Fielden	Pace
Fuchs	Petsch
Galbreath	Pevehouse
Gordon, Mrs.	Pope
Hale	Reader of Erath
Hamilton	Reaves
Hankamer	Reed
Hardeman	Rhodes
Hardin	Riviere
Harp	Roach
Harper	Roberts
Harrell of Bastrop	Robinson
Harrell of Lamar	Russell
Harris	Schuenemann
Heflin	Segrist
Holland	Shell
Howington	Skiles
Hull	Smith of Frio
Hunt	Smith of Hopkins
Johnson of Ellis	Smith
Johnson of Tarrant	of Matagorda
Kennedy	Spencer
Kern	Stoll
Kerr	Talbert
Kersey	Tarwater
Kinard	Taylor
King	Tennant
Lehman	Thornberry
Leonard	Thornton
Leyendecker	Turner
Little	Vale
Lock	Vint
London	Waggoner
Mays	Wells
McAlister	Westbrook
McDaniel	White
McDonald	Wilson
McMurry	Wood
McNamara	Wright

Nays—1

Brown of Cherokee

Absent

Baker	Isaacks
of Fort Bend	Keith
Boethel	Langdon
Bridgers	Loggins
Cockrell	McFarland
Coleman	Piner
Colquitt	Ragsdale
Dickson	Stinson
Dwyer	Voigt
Gilmer	Weldon
Goodman	Winfree
Hartzog	Worley

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

The Speaker then laid House Bill No. 1105 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—118

Allen	Harrell of Lamar
Allison	Harris
Alsup	Heflin
Anderson	Holland
Bailey	Howington
Baker of Grayson	Hull
Bell	Hunt
Blankenship	Johnson of Ellis
Bond	Johnson of Tarrant
Boyd	Kennedy
Boyer	Kern
Bradbury	Kerr
Bradford	Kersey
Bray	Kinard
Broadfoot	King
Brown	Lehman
of Nacogdoches	Leonard
Bundy	Leyendecker
Burkett	Little
Burney	Lock
Cauthorn	London
Celaya	Mays
Chambers	McAlister
Clark	McDaniel
Cleveland	McDonald
Colson, Mrs.	McMurry
Cornett	McNamara
Corry	Mohrmann
Crossley	Montgomery
Davis of Jasper	Morris
Davis of Upshur	Newell
Dickison	Nicholson
Dowell	Oliver
Faulkner	Pace
Felty	Petsch
Ferguson	Pevehouse
Fielden	Pope
Fuchs	Reader of Erath
Galbreath	Reaves
Gordon, Mrs.	Reed
Hale	Rhodes
Hamilton	Riviere
Hankamer	Roach
Hardeman	Roberts
Hardin	Robinson
Harp	Russell
Harper	Schuenemann
Harrell of Bastrop	Segrist

Shell	Thornberry
Skiles	Thornton
Smith of Frio	Turner
Smith of Hopkins	Vale
Smith	Vint
of Matagorda	Waggoner
Spencer	Wells
Stoll	Westbrook
Talbert	White
Tarwater	Wilson
Taylor	Wood
Tennant	Wright

Nays—1

Brown of Cherokee

Absent

Baker	Isaacks
of Fort Bend	Keith
Boethel	Langdon
Bridgers	Loggins
Cockrell	McFarland
Coleman	Piner
Colquitt	Ragsdale
Dickson	Stinson
Dwyer	Voigt
Gilmer	Weldon
Goodman	Winfree
Hartzog	Worley

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

SENATE BILL NO. 298 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 298, A bill to be entitled "An Act setting out the authority of the Texas State Parks Board in all matters pertaining to land titles and interests, authorizing the acceptance, rejection, or reconveyance of park sites, and declaring an emergency."

The bill was read second time.

Mr. Bradford offered the following committee amendment to the bill:

Amend Senate Bill No. 298, Section 1, line 13 thereof, by adding after words "State Parks Board", the following words, "or if the Federal Government has undertaken the development of any site in which title to same is now vested in the State for park purposes."

Mr. Boyer offered the following substitute for the amendment by Mr. Bradford:

Amend Senate Bill No. 298, Section 1, line 37, after the words "State Parks Board", the following words, "or where the United States of America has undertaken the development of any site in which title to same is now vested in the State for park purposes."

The substitute amendment was adopted.

The amendment, as substituted, was then adopted.

Mr. Boyer offered the following amendment to the bill:

Amend Senate Bill No. 298, page 2, line 1 thereof, by adding after the words "them", the following words, "or where the United States of America has undertaken the development of any site in which title to same is now vested in the State for park purposes to transfer title to the United States of America."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 298 was then passed to third reading.

SENATE BILL NO. 298 ON THIRD READING

Mr. Boyer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 298 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—122

Allison	Brown of Cherokee
Alsup	Bundy
Anderson	Burkett
Bailey	Burney
Baker of Grayson	Cauthorn
Bell	Chambers
Blankenship	Clark
Bond	Cleveland
Boyd	Cockrell
Boyer	Coleman
Bradbury	Colquitt
Bradford	Colson, Mrs.
Bray	Cornett
Bridgers	Corry

Davis of Jasper	McNamara
Davis of Upshur	Mohrmann
Dowell	Montgomery
Dwyer	Morris
Faulkner	Newell
Felty	Nicholson
Ferguson	Oliver
Fielden	Pace
Fuchs	Petsch
Galbreath	Pevehouse
Gordon, Mrs.	Ragsdale
Hale	Reader of Erath
Hamilton	Reaves
Hankamer	Reed
Hardeman	Rhodes
Hardin	Riviere
Harp	Roach
Harper	Roberts
Harrell of Bastrop	Robinson
Harrell of Lamar	Russell
Hartzog	Schuenemann
Heflin	Shell
Holland	Skiles
Howington	Smith of Frio
Hull	Smith of Hopkins
Hunt	Spencer
Johnson of Ellis	Stinson
Johnson of Tarrant	Stoll
Keith	Talbert
Kennedy	Tarwater
Kern	Taylor
Kerr	Tennant
Kersey	Thornberry
King	Thornton
Langdon	Turner
Lehman	Vale
Leonard	Vint
Leyendecker	Voigt
Little	Waggoner
Lock	Weldon
Loggins	Wells
London	Westbrook
Mays	White
McAlister	Wilson
McDaniel	Wood
McDonald	Worley
McMurry	Wright

Nays—1

Allen

Present—Not Voting

Brown
of Nacogdoches

Absent

Baker	Dickison
of Fort Bend	Dickson
Boethel	Gilmer
Broadfoot	Goodman
Celaya	Harris
Crossley	Isaacks

Kinard	Segrist
McFarland	Smith
Piner	of Matagorda
Pope	Winfree

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

The Speaker then laid Senate Bill No. 298 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—122

Allison	Harp
Alsup	Harper
Anderson	Harrell of Bastrop
Bailey	Harrell of Lamar
Baker of Grayson	Hartzog
Bell	Heflin
Blankenship	Holland
Bond	Howington
Boyd	Hull
Boyer	Hunt
Bradbury	Johnson of Ellis
Bradford	Johnson of Tarrant
Bray	Keith
Bridgers	Kennedy
Brown of Cherokee	Kern
Bundy	Kerr
Burkett	Kersey
Burney	King
Cauthorn	Langdon
Chambers	Lehman
Clark	Leonard
Cleveland	Leyendecker
Cockrell	Little
Coleman	Lock
Colquitt	Loggins
Colson, Mrs.	London
Cornett	Mays
Corry	McAlister
Davis of Jasper	McDaniel
Davis of Upshur	McDonald
Dowell	McMurry
Dwyer	McNamara
Faulkner	Mohrmann
Felty	Montgomery
Ferguson	Morris
Fielden	Newell
Fuchs	Nicholson
Galbreath	Oliver
Gordon, Mrs.	Pace
Hale	Petsch
Hamilton	Pevehouse
Hankamer	Ragsdale
Hardeman	Reader of Erath
Hardin	Reaves

Reed	Taylor
Rhodes	Tennant
Riviere	Thornberry
Roach	Thornton
Roberts	Turner
Robinson	Vale
Russell	Vint
Schuenemann	Voigt
Shell	Waggoner
Skiles	Weldon
Smith of Frio	Wells
Smith of Hopkins	Westbrook
Spencer	White
Stinson	Wilson
Stoll	Wood
Talbert	Worley
Tarwater	Wright

Nays—1

Allen

Present—Not Voting

Brown
of Nacogdoches

Absent

Baker	Harris
of Fort Bend	Isaacks
Boethel	Kinard
Broadfoot	McFarland
Celaya	Piner
Crossley	Pope
Dickison	Segrist
Dickson	Smith
Gilmer	of Matagorda
Goodman	Winfree

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

SENATE BILL NO. 302 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 302, A bill to be entitled "An Act to amend Section 11 of Senate Bill No. 104, Chapter 33, page 45, of the Acts of the Regular Session of the Forty-fifth Legislature, 1937, by providing that the two Judges of the County Courts at Law, Nos. 1 and 2, of Bexar County, Texas, shall take the oath of office prescribed by the Constitution of Texas; etc., and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 302 ON THIRD
READING

Mr. Dwyer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 302 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—128

Allison	Harrell of Lamar
Alsup	Harris
Anderson	Hartzog
Bailey	Heflin
Baker of Grayson	Holland
Bell	Howington
Blankenship	Hull
Bond	Hunt
Boyd	Johnson of Ellis
Boyer	Johnson of Tarrant
Bradbury	Keith
Bradford	Kennedy
Bray	Kern
Bridgers	Kerr
Broadfoot	Kersey
Brown of Cherokee	King
Bundy	Langdon
Burkett	Lehman
Burney	Leonard
Cauthorn	Leyendecker
Chambers	Little
Clark	Lock
Cleveland	Loggins
Cockrell	London
Coleman	Mays
Colquitt	McAlister
Colson, Mrs.	McDaniel
Cornett	McDonald
Corry	McMurry
Crossley	McNamara
Davis of Jasper	Mohrmann
Davis of Upshur	Montgomery
Dickison	Morris
Dowell	Newell
Dwyer	Nicholson
Faulkner	Oliver
Felty	Pace
Ferguson	Petsch
Fielden	Pevehouse
Fuchs	Ragsdale
Galbreath	Reader of Erath
Gordon, Mrs.	Reaves
Hale	Reed
Hamilton	Rhodes
Hankamer	Riviere
Hardeman	Roach
Hardin	Roberts
Harp	Robinson
Harper	Russell
Harrell of Bastrop	Schuenemann

Segrist	Thornton
Shell	Turner
Skiles	Vale
Smith of Frio	Vint
Smith of Hopkins	Voigt
Smith	Waggoner
of Matagorda	Weldon
Spencer	Wells
Stinson	Westbrook
Stoll	White
Talbert	Wilson
Tarwater	Wood
Taylor	Worley
Tennant	Wright
Thornberry	

Present—Not Voting

Brown
of Nacogdoches

Absent

Allen	Goodman
Baker	Isaacks
of Fort Bend	Kinard
Boethel	McFarland
Celaya	Piner
Dickson	Pope
Gilmer	Winfree

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

The Speaker then laid Senate Bill No. 302 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—128

Allison	Chambers
Alsop	Clark
Anderson	Cleveland
Bailey	Cockrell
Bell	Coleman
Blankenship	Colquitt
Bond	Colson, Mrs.
Boyd	Cornett
Boyer	Corry
Bradbury	Crossley
Bradford	Davis of Jasper
Bray	Davis of Upshur
Bridgers	Dickison
Broadfoot	Dowell
Brown of Cherokee	Dwyer
Baker of Grayson	Faulkner
Bundy	Felty
Burkett	Ferguson
Burney	Fielden
Cauthorn	Fuchs

Galbreath	Oliver
Gordon, Mrs.	Pace
Hale	Petsch
Hamilton	Pevehouse
Hankamer	Ragsdale
Hardeman	Reader of Erath
Hardin	Reaves
Harp	Reed
Harper	Rhodes
Harrell of Bastrop	Riviere
Harrell of Lamar	Roach
Harris	Roberts
Hartzog	Robinson
Heflin	Russell
Holland	Schuenemann
Howington	Segrist
Hull	Shell
Hunt	Skiles
Johnson of Ellis	Smith of Frio
Johnson of Tarrant	Smith of Hopkins
Keith	Smith
Kennedy	of Matagorda
Kern	Spencer
Kerr	Stinson
Kersey	Stoll
King	Talbert
Langdon	Tarwater
Lehman	Taylor
Leonard	Tennant
Leyendecker	Thornberry
Little	Thornton
Lock	Turner
Loggins	Vale
London	Vint
Mays	Voigt
McAlister	Waggoner
McDaniel	Weldon
McDonald	Wells
McMurry	Westbrook
McNamara	White
Mohrmann	Wilson
Montgomery	Wood
Morris	Worley
Newell	Wright
Nicholson	

Present—Not Voting

Brown
of Nacogdoches

Absent

Allen	Goodman
Baker	Isaacks
of Fort Bend	Kinard
Boethel	McFarland
Celaya	Piner
Dickson	Pope
Gilmer	Winfree

Absent—Excused

Daniel	Derden
Dean	Donaghey

Howard
Monkhouse

Reader of Bexar

SENATE BILL NO. 465 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 465, A bill to be entitled "An Act authorizing the Board of Directors of Texas Technological College at Lubbock, Texas, to select and lease a tract of land upon the campus of said college to the Texas National Guard Armory Board for purpose of erecting thereon an armory and other buildings to be used by Texas National Guard under provisions of Senate Bill No. 326; etc., and declaring an emergency."

The bill was read second time.

Mr. Allison offered the following amendments to the bill:

Amend Senate Bill No. 465, the caption thereof, line 11, by striking out the words "to be used", and inserting in lieu thereof "suitable for".

Amend Senate Bill No. 465, line 28, by striking out the words "the purpose of and to be used", and insert in lieu thereof, the word "use".

Amend Senate Bill No. 465, line 27, by inserting after the word "thereon", the following: "with money borrowed under the pledges authorized in the next Act mentioned, and with any assistance by the Federal Government or otherwise, an armory and other buildings suitable for use by the Texas National Guard."

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 465 was then passed to third reading.

SENATE BILL NO. 465 ON THIRD
READING

Mr. Allison moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 465 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—121

Allen	Kerr
Allison	Kersey
Alsup	King
Anderson	Langdon
Bailey	Lehman
Baker of Grayson	Leonard
Bell	Little
Blankenship	Lock
Bond	London
Boyd	Mays
Boyer	McAlister
Bradbury	McDaniel
Bradford	McMurry
Bridgers	McNamara
Broadfoot	Mohrmann
Brown of Cherokee	Montgomery
Brown of Nacogdoches	Newell
Bundy	Nicholson
Burkett	Oliver
Burney	Pace
Cauthorn	Petsch
Celaya	Pevehouse
Chambers	Ragsdale
Clark	Reader of Erath
Cleveland	Reaves
Cockrell	Reed
Coleman	Rhodes
Colquitt	Riviere
Colson, Mrs.	Roach
Cornett	Roberts
Corry	Robinson
Crossley	Russell
Davis of Jasper	Schuenemann
Dickison	Segrist
Dowell	Shell
Faulkner	Skiles
Ferguson	Smith of Frio
Fielden	Smith of Hopkins
Fuchs	Smith of Matagorda
Galbreath	Spencer
Goodman	Stinson
Gordon, Mrs.	Stoll
Hale	Talbert
Hamilton	Tarwater
Hankamer	Taylor
Hardeman	Tennant
Hardin	Thornberry
Harp	Thornton
Harper	Turner
Harrell of Bastrop	Vale
Harrell of Lamar	Vint
Harris	Voigt
Heflin	Waggoner
Holland	Weldon
Howington	Wells
Hull	Westbrook
Hunt	White
Johnson of Ellis	Wilson
Johnson of Tarrant	Worley
Kennedy	Wright
Kern	

Baker	Keith
of Fort Bend	Kinard
Boethel	Leyendecker
Davis of Upshur	Loggins
Dickson	McDonald
Dwyer	McFarland
Felty	Morris
Gilmer	Piner
Hartzog	Pope
Isaacks	Winfree

Daniel Howard
Dean Monkhouse
Derden Reader of Bexar
Donaghey

The bill was read third time, and was passed by the following vote:

Allen	Davis of Jasper
Allison	Dickison
Alsup	Dowell
Anderson	Faulkner
Bailey	Ferguson
Baker of Grayson	Fielden
Bell	Fuchs
Blankenship	Galbreath
Bond	Goodman
Boyd	Gordon, Mrs.
Boyer	Hale
Bradbury	Hamilton
Bradford	Hankamer
Bridgers	Hardeman
Broadfoot	Hardin
Brown of Cherokee	Harp
Brown of Nacogdoches	Harper
Bundy	Harrell of Bastrop
Burkett	Harrell of Lamar
Burney	Harris
Cauthorn	Heflin
Celaya	Holland
Chambers	Howington
Clark	Hull
Cleveland	Hunt
Cockrell	Johnson of Ellis
Coleman	Johnson of Tarrant
Colquitt	Kennedy
Colson, Mrs.	Kern
Cornett	Kerr
Corry	Kersey
Crossley	King
	Langdon

Nays—2	
Bray	Wood
Absent	
Baker of Fort Bend	Keith Kinard
Boethel	Leyendecker
Davis of Upshur	Loggins
Dickson	McDonald
Dwyer	McFarland
Felty	Morris
Gilmer	Piner
Hartzog	Pope
Isaacks	Winfree
Absent—Excused	
Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 401, A bill to be entitled
"An Act amending Article 625 of the
Code of Criminal Procedure of the
Revised Statutes of 1925, [relating to
pay of veniremen.]"

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 401 ON THIRD READING

Mr. Riviere moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 401 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109

Allen	Harris
Allison	Hartzog
Alsup	Heflin
Anderson	Howington
Bailey	Hull
Baker of Grayson	Hunt
Bell	Johnson of Ellis
Blankenship	Johnson of Tarrant
Bond	Kennedy
Boyer	Kern
Bradbury	Kerr
Bradford	Kersey
Broadfoot	Kinard
Brown of Cherokee	King
Brown of Nacogdoches	Langdon
Bundy	Lehman
Burkett	Leonard
Burney	Leyendecker
Cauthorn	Little
Chambers	Lock
Clark	Loggins
Cleveland	London
Cockrell	Mays
Coleman	McAlister
Colquitt	McDaniel
Cornett	McDonald
Crossley	McMurry
Davis of Upshur	Mohrmann
Dickison	Montgomery
Dowell	Newell
Faulkner	Nicholson
Felty	Pace
Ferguson	Petsch
Fielden	Pevehouse
Fuchs	Ragsdale
Galbreath	Reader of Erath
Goodman	Reaves
Hale	Reed
Hamilton	Rhodes
Hankamer	Riviere
Hardeman	Roach
Hardin	Roberts
Harp	Robinson
Harper	Segrist
Harrell of Bastrop	Skiles
Harrell of Lamar	Smith of Frio
	Smith of Hopkins

Spencer	Voigt
Stoll	Weldon
Tarwater	Wells
Taylor	White
Thornton	Wilson
Turner	Wood
Vale	Worley
Vint	Wright

Nays—8

Boyd	Talbert
Davis of Jasper	Tennant
McNamara	Thornberry
Russell	Waggoner

Present—Not Voting

Gordon, Mrs.

Absent

Baker of Fort Bend	Keith
Boethel	McFarland
Bray	Morris
Bridgers	Oliver
Celaya	Piner
Colson, Mrs.	Pope
Corry	Schuenemann
Dickson	Shell
Dwyer	Smith
Gilmer	of Matagorda
Holland	Stinson
Isaacks	Westbrook
	Winfree

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

The Speaker then laid Senate Bill No. 401 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—109

Allen	Brown
Allison	of Nacogdoches
Alsup	Bundy
Anderson	Burkett
Bailey	Burney
Baker of Grayson	Cauthorn
Bell	Chambers
Blankenship	Clark
Bond	Cleveland
Boyer	Cockrell
Bradbury	Coleman
Bradford	Colquitt
Broadfoot	Cornett
Brown of Cherokee	Crossley

Davis of Upshur	Mays
Dickison	McAlister
Dowell	McDaniel
Faulkner	McDonald
Felty	McMurry
Ferguson	Mohrmann
Fielden	Montgomery
Fuchs	Newell
Galbreath	Nicholson
Goodman	Pace
Hale	Petsch
Hamilton	Pevehouse
Hankamer	Ragsdale
Hardeman	Reader of Erath
Hardin	Reaves
Harp	Reed
Harper	Rhodes
Harrell of Bastrop	Riviere
Harrell of Lamar	Roach
Harris	Roberts
Hartzog	Robinson
Heflin	Segrist
Howington	Skiles
Hull	Smith of Frio
Hunt	Smith of Hopkins
Johnson of Ellis	Spencer
Johnson of Tarrant	Stoll
Kennedy	Tarwater
Kern	Taylor
Kerr	Thornton
Kersey	Turner
Kinard	Vale
King	Vint
Langdon	Voigt
Lehman	Weldon
Leonard	Wells
Leyendecker	White
Little	Wilson
Lock	Wood
Loggins	Worley
London	Wright

Nays—8

Boyd	Talbert
Davis of Jasper	Tennant
McNamara	Thornberry
Russell	Waggoner

Present—Not Voting

Gordon, Mrs.

Absent

Baker	Dwyer
of Fort Bend	Gilmer
Boethel	Holland
Bray	Isaacks
Bridgers	Keith
Celaya	McFarland
Colson, Mrs.	Morris
Corry	Oliver
Dickson	Piner

Pope	Stinson
Schuenemann	Westbrook
Shell	Winfree
Smith	

of Matagorda

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

HOUSE BILL NO. 1112 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1112, A bill to be entitled "An Act to provide that out of taxes remitted by the State of Texas to certain counties such sum shall be used for the purpose of acquiring and improving land for State parks, and declaring an emergency."

The bill was read second time.

Mr. White offered the following amendment to the bill:

Amend House Bill No. 1112, Section 1, by substituting in lieu of the words and figures "48,935", the words and figures "48,800".

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1112 was then passed to engrossment.

HOUSE BILL NO. 1112 ON THIRD READING

Mr. White moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1112 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—117

Allison	Bradbury
Alsup	Bradford
Anderson	Bray
Bailey	Bridgers
Baker of Grayson	Broadfoot
Bell	Brown of Cherokee
Blankenship	Brown
Bond	of Nacogdoches
Boyd	Bundy
Boyer	Burkett

Burney	Mays
Cauthorn	McAlister
Clark	McDaniel
Cleveland	McDonald
Cockrell	McMurry
Coleman	McNamara
Colquitt	Mohrmann
Colson, Mrs.	Montgomery
Cornett	Morris
Corry	Newell
Crossley	Nicholson
Davis of Jasper	Pace
Davis of Upshur	Petsch
Dickison	Pevehouse
Faulkner	Ragsdale
Ferguson	Reader of Erath
Fielden	Reaves
Fuchs	Reed
Galbreath	Rhodes
Goodman	Riviere
Gordon, Mrs.	Roach
Hale	Roberts
Hamilton	Robinson
Hankamer	Russell
Hardeman	Segrist
Hardin	Skiles
Harp	Smith of Frio
Harper	Smith of Hopkins
Harrell of Lamar	Smith
Harris	of Matagorda
Hartzog	Spencer
Heflin	Stinson
Howington	Stoll
Hull	Talbert
Hunt	Tarwater
Johnson of Ellis	Taylor
Johnson of Tarrant	Tennant
Kennedy	Thornberry
Kern	Thornton
Kerr	Turner
Kersey	Vale
King	Vint
Langdon	Waggoner
Lehman	Weldon
Leonard	Wells
Leyendecker	Westbrook
Little	White
Lock	Wilson
Loggins	Wright
London	

Nays—1

Wood

Absent

Allen	Dwyer
Baker	Felty
of Fort Bend	Gilmer
Boethel	Harrell of Bastrop
Celaya	Holland
Chambers	Isaacks
Dickson	Keith
Dowell	Kinard

McFarland	Shell
Oliver	Voigt
Piner	Winfree
Pope	Worley
Schuenemann	

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

The Speaker then laid House Bill No. 1112 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—117

Allison	Hankamer
Alsup	Hardeman
Anderson	Hardin
Bailey	Harp
Baker of Grayson	Harper
Bell	Harrell of Lamar
Blankenship	Harris
Bond	Hartzog
Boyd	Heflin
Boyer	Howington
Bradbury	Hull
Bradford	Hunt
Bray	Johnson of Ellis
Bridgers	Johnson of Tarrant
Broadfoot	Kennedy
Brown of Cherokee	Kern
Brown	Kerr
of Nacogdoches	Kersey
Bundy	King
Burkett	Langdon
Burney	Lehman
Cauthorn	Leonard
Clark	Leyendecker
Cleveland	Little
Cockrell	Lock
Coleman	Loggins
Colquitt	London
Colson, Mrs.	Mays
Cornett	McAlister
Corry	McDaniel
Crossley	McDonald
Davis of Jasper	McMurry
Davis of Upshur	McNamara
Dickison	Mohrmann
Faulkner	Montgomery
Ferguson	Morris
Fielden	Newell
Fuchs	Nicholson
Galbreath	Pace
Goodman	Petsch
Gordon, Mrs.	Pevehouse
Hale	Ragsdale
Hamilton	Reader of Erath

Reaves	Talbert
Reed	Tarwater
Rhodes	Taylor
Riviere	Tennant
Roach	Thornberry
Roberts	Thornton
Robinson	Turner
Russell	Vale
Segrist	Vint
Skiles	Waggoner
Smith of Frio	Weldon
Smith of Hopkins	Wells
Smith	Westbrook
of Matagorda	White
Spencer	Wilson
Stinson	Wright
Stoll	

Nays—1

Wood

Absent

Allen	Isaacks
Baker	Keith
of Fort Bend	Kinard
Boethel	McFarland
Celaya	Oliver
Chambers	Piner
Dickson	Pope
Dowell	Schuenemann
Dwyer	Shell
Felty	Voigt
Gilmer	Winfree
Harrell of Bastrop	Worley
Holland	

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

HOUSE BILL NO. 1101 ON SECOND READING

The Speaker laid before the House, on its second reading, and passage to engrossment,

H. B. No. 1101, A bill to be entitled "An Act to provide for a joint rural school supervisor in Sabine and San Augustine Counties; providing mode and manner of paying such salaries; providing that the counties within the provisions of this Act may join in the hiring and paying of such joint rural school supervisor; providing for appointment of joint rural school supervisor in such counties; providing persons making such appointments; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Westbrook offered the following amendment to the bill:

Amend House Bill No. 1101, by striking out all below the enacting clause, and inserting in lieu thereof the following:

"Section 1. That from and after the effective date of this Act the county superintendent of the county embraced within this Act may appoint a rural school supervisor for San Augustine County.

"Sec. 2. The salary and traveling expenses for such supervisor shall be not less than Eighteen Hundred (\$1,800.00) Dollars per annum, and shall be paid by means of an assessment upon the scholastic population of said County upon approval of the county superintendent residing in said County. The school supervisor employed hereunder shall be a teacher of good moral character holding at least a four-year's high school certificate and shall have at least five years' experience in teaching in rural schools and in addition thereto, shall have had administrative work with rural schools. Such salary shall be paid in equal monthly installments out of the available school fund of the county coming within the provisions of this Act, the salary of the supervisor to be included in the County Administrator's budget for the said County.

"Sec. 3. The tenure of the rural school supervisor made hereunder in compliance with this Act shall be for the same length of time as that of the county school superintendent.

"Sec. 4. The salary hereinabove provided shall be paid monthly upon the order of the County School Board of said County coming under this Act and shall be approved by the county superintendent making such employment; provided, however, that the rural school supervisor appointed hereunder shall make annual reports of all work performed under this Act, and such reports shall be made for the close of the school year ending August 31 of the year next succeeding such employment and no voucher for September following shall be paid or authorized to be paid until such report is made.

"Sec. 5. The county school supervisor authorized herein shall visit the rural schools of the county coming within the provision of this Act and

shall deliver lectures and give assistance to the teachers and school boards and shall do practice teaching in the rural schools and shall generally inculcate in the minds of the student body the principles of endeavor and stimulate an ambition in such students and teachers as will aid them in successfully performing and accomplishing their work.

"Sec. 6. All laws and parts of laws in conflict herewith are hereby repealed to the extent of the conflict only.

"Sec. 7. The fact that in the county embraced within the provisions of this Act there is a great necessity for rural school supervision and the fact that a trained teacher would be of great assistance in inculcating proper methods and in stimulating interest in school work in such county, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and with the body of the bill.

House Bill No. 1101 was then passed to engrossment.

(Mr. Bond in the Chair.)

HOUSE BILL NO. 1101 ON THIRD READING

Mr. Westbrook moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1101 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—121

Allison	Bradbury
Alsup	Bradford
Anderson	Bray
Bailey	Bridgers
Baker	Broadfoot
of Fort Bend	Brown of Cherokee
Baker of Grayson	Brown
Blankenship	of Nacogdoches
Bond	Bundy
Boyd	Burkett
Boyer	Burney

Cauthorn	McDonald
Chambers	McMurry
Clark	McNamara
Cleveland	Mohrmann
Cockrell	Montgomery
Colquitt	Morris
Colson, Mrs.	Newell
Cornett	Nicholson
Corry	Oliver
Crossley	Pace
Davis of Jasper	Petsch
Davis of Upshur	Pevehouse
Dowell	Ragsdale
Faulkner	Reader of Erath
Felty	Reaves
Ferguson	Reed
Fielden	Rhodes
Fuchs	Riviere
Galbreath	Roach
Goodman	Roberts
Gordon, Mrs.	Robinson
Hale	Russell
Hamilton	Schuenemann
Hankamer	Segrist
Hardeman	Shell
Hardin	Skiles
Harp	Smith of Frio
Harper	Smith of Hopkins
Harrell of Lamar	Smith
Heflin	of Matagorda
Holland	Spencer
Howington	Stinson
Hull	Stoll
Hunt	Talbert
Johnson of Ellis	Tarwater
Kennedy	Taylor
Kern	Tennant
Kerr	Thornberry
Kersey	Thornton
King	Turner
Langdon	Vale
Lehman	Vint
Leonard	Voigt
Leyendecker	Waggoner
Little	Weldon
Lock	Wells
Loggins	Westbrook
London	White
Mays	Wilson
McAlister	Worley
McDaniel	Wright

Nays—3

Bell	Wood
Johnson of Tarrant	

Absent

Allen	Dickson
Boethel	Dwyer
Celaya	Gilmer
Coleman	Harrell of Bastrop
Dickison	Harris

Hartzog	McFarland	Reed	Talbert
Isaacks	Piner	Rhodes	Tarwater
Keith	Pope	Riviere	Taylor
Kinard	Winfree	Roach	Tennant

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

The Chair then laid House Bill No. 1101 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—121

Allison	Hamilton
Alsup	Hankamer
Anderson	Hardeman
Bailey	Hardin
Baker	Harp
of Fort Bend	Harper
Baker of Grayson	Harrell of Lamar
Blankenship	Heflin
Bond	Holland
Boyd	Howington
Boyer	Hull
Bradbury	Hunt
Bradford	Johnson of Ellis
Bray	Kennedy
Bridgers	Kern
Broadfoot	Kerr
Brown of Cherokee	Kersey
Brown	King
of Nacogdoches	Langdon
Bundy	Lehman
Burkett	Leonard
Burney	Leyendecker
Cauthorn	Little
Chambers	Lock
Clark	Loggins
Cleveland	London
Cockrell	Mays
Colquitt	McAlister
Colson, Mrs.	McDaniel
Cornett	McDonald
Corry	McMurry
Crossley	McNamara
Davis of Jasper	Mohrmann
Davis of Upshur	Montgomery
Dowell	Morris
Faulkner	Newell
Felty	Nicholson
Ferguson	Oliver
Fielden	Pace
Fuchs	Petsch
Galbreath	Pevehouse
Goodman	Ragsdale
Gordon, Mrs.	Reader of Erath
Hale	Reaves

Roberts	Thornberry
Robinson	Thornton
Russell	Turner
Schuenemann	Vale
Segrist	Vint
Shell	Voigt
Skiles	Waggoner
Smith of Frio	Weldon
Smith of Hopkins	Wells
Smith	Westbrook
of Matagorda	White
Spencer	Wilson
Stinson	Worley
Stoll	Wright

Nays—3

Bell	Wood
Johnson of Tarrant	

Absent

Allen	Harris
Boethel	Hartzog
Celaya	Isaacks
Coleman	Keith
Dickison	Kinard
Dickson	McFarland
Dwyer	Piner
Gilmer	Pope
Harrell of Bastrop	Winfree

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

(Speaker in the Chair.)

HOUSE BILL NO. 1123 ON
SECOND READING

Mr. Cornett moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1123 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—120

Allison	Blankenship
Alsup	Bond
Anderson	Boyd
Bailey	Boyer
Baker of Grayson	Bradbury
Bell	Bradford

Bray	Leonard
Bridgers	Leyendecker
Broadfoot	Little
Brown of Cherokee	Lock
Brown	Loggins
of Nacogdoches	London
Bundy	Mays
Burkett	McAlister
Burney	McDaniel
Cauthorn	McDonald
Chambers	McMurry
Clark	McNamara
Cleveland	Mohrmann
Cockrell	Montgomery
Coleman	Morris
Colquitt	Newell
Colson, Mrs.	Nicholson
Cornett	Oliver
Corry	Pace
Crossley	Petsch
Davis of Jasper	Pevehouse
Davis of Upshur	Ragsdale
Dickison	Reader of Erath
Dowell	Reed
Dwyer	Rhodes
Faulkner	Riviere
Felty	Roach
Ferguson	Roberts
Fielden	Robinson
Fuchs	Russell
Galbreath	Schuenemann
Gordon, Mrs.	Segrist
Hamilton	Skiles
Hankamer	Smith of Frio
Hardeman	Smith of Hopkins
Hardin	Spencer
Harp	Stoll
Harper	Talbert
Harrell of Bastrop	Taylor
Harrell of Lamar	Tennant
Harris	Thornberry
Hartzog	Thornton
Heflin	Turner
Holland	Vale
Howington	Vint
Hunt	Voigt
Isaacks	Waggoner
Johnson of Tarrant	Weldon
Kennedy	Wells
Kern	Westbrook
Kerr	White
Kersey	Wilson
Kinard	Wood
King	Wright
Lehman	

Nays—1

Allen

Absent

Baker
of Fort Bend
Boethel

Celaya
Dickson
Gilmer

Goodman	Reaves
Hale	Shell
Hull	Smith
Johnson of Ellis	of Matagorda
Keith	Stinson
Langdon	Tarwater
McFarland	Winfrec
Piner	Worley
Pope	

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

The Speaker then laid before the House, on its second reading, and passage to engrossment,

H. B. No. 1123, A bill to be entitled "An Act creating a more efficient road law for Red River County, Texas, validating certain time warrants heretofore issued, payable out of the Road and Bridge Fund; authorizing the Commissioners Court of said County to issue serial coupon bonds of said County in the funding of said time warrants, and to levy all or any part of the Fifteen Cents Special Road and Bridge Maintenance Tax of said County for payment of said bonds; providing that if any part of this Act shall be declared unconstitutional such holding shall not impair or invalidate any other parts of this Act; providing that this Act shall be cumulative of General Laws; but that in case of conflict this Act shall control, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1123 ON THIRD READING

The Speaker then laid House Bill No. 1123 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—120

Allison	Bradbury
Alsup	Bradford
Anderson	Bray
Bailey	Bridgers
Baker of Grayson	Broadfoot
Bell	Brown of Cherokee
Blankenship	Brown
Bond	of Nacogdoches
Boyd	Bundy
Boyer	Burkett

Burney	Loggins
Cauthorn	London
Chambers	Mays
Clark	McAlister
Cleveland	McDaniel
Cockrell	McDonald
Coleman	McMurry
Colquitt	McNamara
Colson, Mrs.	Mohrmann
Cornett	Montgomery
Corry	Morris
Crossley	Newell
Davis of Jasper	Nicholson
Davis of Upshur	Oliver
Dickison	Pace
Dowell	Petsch
Dwyer	Pevehouse
Faulkner	Ragsdale
Felty	Reader of Erath
Ferguson	Reed
Fielden	Rhodes
Fuchs	Riviere
Galbreath	Roach
Gordon, Mrs.	Roberts
Hamilton	Robinson
Hankamer	Russell
Hardeman	Schuenemann
Hardin	Segrist
Harp	Skiles
Harper	Smith of Frio
Harrell of Bastrop	Smith of Hopkins
Harrell of Lamar	Spencer
Harris	Stoll
Hartzog	Talbert
Heflin	Taylor
Holland	Tennant
Howington	Thornberry
Hunt	Thornton
Isaacks	Turner
Johnson of Tarrant	Vale
Kennedy	Vint
Kern	Voigt
Kerr	Waggoner
Kersey	Weldon
Kinard	Wells
King	Westbrook
Lehman	White
Leonard	Wilson
Leyendecker	Wood
Little	Wright
Lock	

Nays—1

Allen

Absent

Baker	Hale
of Fort Bend	Hull
Boethel	Johnson of Ellis
Celaya	Keith
Dickson	Langdon
Gilmer	McFarland
Goodman	Piner

Pope	Stinson
Reaves	Tarwater
Shell	Winfree
Smith	Worley

of Matagorda

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

HOUSE BILL NO. 1124 ON SECOND READING

Mr. Cornett moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1124 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—125

Allen	Faulkner
Allison	Felty
Alsup	Ferguson
Anderson	Fielden
Bailey	Fuchs
Baker of Grayson	Goodman
Bell	Gordon, Mrs.
Blankenship	Hale
Boethel	Hamilton
Bond	Hankamer
Boyd	Hardeman
Boyer	Hardin
Bradbury	Harp
Bradford	Harper
Bray	Harrell of Bastrop
Bridgers	Harrell of Lamar
Brown of Cherokee	Harris
Brown of Nacogdoches	Heflin
Bundy	Holland
Burkett	Howington
Burney	Hull
Cauthorn	Hunt
Celaya	Johnson of Ellis
Chambers	Johnson of Tarrant
Clark	Kennedy
Cleveland	Kern
Cockrell	Kerr
Colquitt	Kersey
Colson, Mrs.	King
Cornett	Lehman
Corry	Leonard
Crossley	Leyendecker
Davis of Jasper	Little
Davis of Upshur	Lock
Dickison	Loggins
Dowell	London
	Mays

McAlister	Skiles
McDaniel	Smith of Frio
McDonald	Smith of Hopkins
McMurry	Smith
McNamara	of Matagorda
Mohrmann	Spencer
Montgomery	Stoll
Morris	Talbert
Newell	Tarwater
Nicholson	Taylor
Oliver	Tennant
Pace	Thornberry
Petsch	Thornton
Pevehouse	Turner
Ragsdale	Vale
Reader of Erath	Vint
Reaves	Voigt
Reed	Waggoner
Rhodes	Weldon
Riviere	Wells
Roach	Westbrook
Roberts	White
Robinson	Wilson
Russell	Wood
Schuenemann	Worley
Segrist	Wright
Shell	

Present—Not Voting

Isaacks

Absent

Baker	Keith
of Fort Bend	Kinard
Broadfoot	Langdon
Coleman	McFarland
Dickson	Piner
Dwyer	Pope
Galbreath	Stinson
Gilmer	Winfree
Hartzog	

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1124, A bill to be entitled "An Act creating and establishing Red River County Road District No. 19 in Red River County, Texas, under Article III, Section 52, of the Constitution of the State of Texas, for the purpose of the construction, operation, and maintenance of macadamized, graveled or paved roads or turnpikes, or in aid thereof; describing the territory included therein; making the District a body corporate with author-

ity to sue and be sued; authorizing the District to issue bonds upon a two-thirds vote of the qualified electors, who own taxable property in said District and who have rendered the same for taxation, voting an election; prescribing the method of calling and conducting such election, and the method of issuing said bonds; directing the levy, assessment, and collection of a tax for the payment of principal and interest of said bonds; providing for the custody and disbursement of the funds of the District; providing that in awarding contracts for road construction the Commissioners Court shall advertise for bids and shall award the contract to the lowest and best bidder; providing that the fact that portions of the District hereby created are also included in other road districts having outstanding bonds shall not affect the District hereby created or its power hereby created; and providing that liability of territory included in this District and other road districts which have issued bonds shall not be affected, and for the levy, assessment, and collection of taxes on said territory for said bonds; and providing that this Act shall not validate said bonds nor be construed as authorizing the creation of indebtedness in excess of the limit established by Article III, Section 52, of the Constitution; determining that all of the lands in said District will be benefited by additional road improvement; providing that the provisions of this Act shall prevail in the event of conflict with any other general or special law; providing that if any provision hereof is held to be invalid such holding shall not affect the other provisions hereof, and declaring an emergency."

House Bill No. 1124 was then passed to engrossment.

HOUSE BILL NO. 1124 ON THIRD READING

The Speaker then laid House Bill No. 1124 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—125

Allen	Baker of Grayson
Allison	Bell
Alsup	Blankenship
Anderson	Boethel
Bailey	Bond

Boyd	Little
Boyer	Lock
Bradbury	Loggins
Bradford	London
Bray	Mays
Bridgers	McAlister
Brown of Cherokee	McDaniel
Brown	McDonald
of Nacogdoches	McMurry
Bundy	McNamara
Burkett	Mohrmann
Burney	Montgomery
Cauthorn	Morris
Celaya	Newell
Chambers	Nicholson
Clark	Oliver
Cleveland	Pace
Cockrell	Petsch
Colquitt	Pevehouse
Colson, Mrs.	Ragsdale
Cornett	Reader of Erath
Corry	Reaves
Crossley	Reed
Davis of Jasper	Rhodes
Davis of Upshur	Riviere
Dickison	Roach
Dowell	Roberts
Faulkner	Robinson
Felty	Russell
Ferguson	Schuenemann
Fielden	Segrist
Fuchs	Shell
Goodman	Skiles
Gordon, Mrs.	Smith of Frio
Hale	Smith of Hopkins
Hamilton	Smith
Hankamer	of Matagorda
Hardeman	Spencer
Hardin	Stoll
Harp	Talbert
Harper	Tarwater
Harrell of Bastrop	Taylor
Harrell of Lamar	Tennant
Harris	Thornberry
Heflin	Thornton
Holland	Turner
Howington	Vale
Hull	Vint
Hunt	Voigt
Johnson of Ellis	Waggoner
Johnson of Tarrant	Weldon
Kennedy	Wells
Kern	Westbrook
Kerr	White
Kersey	Wilson
King	Wood
Lehman	Worley
Leonard	Wright
Leyendecker	

Present—Not Voting

Isaacks

Absent

Baker	Keith
of Fort Bend	Kinard
Broadfoot	Langdon
Coleman	McFarland
Dickson	Piner
Dwyer	Pope
Galbreath	Stinson
Gilmer	Winfree
Hartzog	

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

SENATE BILL NO. 418 ON SECOND READING

The Speaker laid before the House, on its second reading, and passage to third reading,

S. B. No. 418, A bill to be entitled "An Act authorizing the Game, Fish and Oyster Commission to acquire by purchase lands, water rights, easements, right of ways and property of any person in this State; providing for the acquiring of lands, water rights, easements, right of ways and property of any person or corporation, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 418 ON THIRD READING

Mr. Hartzog moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 418 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Allison	Broadfoot
Alsup	Brown of Cherokee
Anderson	Brown
Bailey	of Nacogdoches
Baker of Grayson	Bundy
Bell	Burney
Blankenship	Cauthorn
Bond	Celaya
Boyd	Chambers
Boyer	Clark
Bradbury	Cleveland
Bradford	Cockrell
Bray	Colquitt
Bridgers	Colson, Mrs.

Cornett	McNamara
Corry	Mohrmann
Crossley	Montgomery
Davis of Jasper	Morris
Davis of Upshur	Nicholson
Dickison	Oliver
Dowell	Pace
Dwyer	Petsch
Faulkner	Ragsdale
Ferguson	Reader of Erath
Fielden	Reaves
Fuchs	Reed
Galbreath	Rhodes
Goodman	Riviere
Gordon, Mrs.	Roach
Hamilton	Roberts
Hankamer	Robinson
Hardeman	Russell
Hardin	Schuenemann
Harp	Segrist
Harper	Shell
Harrell of Bastrop	Skiles
Harrell of Lamar	Smith of Frio
Harris	Smith of Hopkins
Hartzog	Smith
Heflin	of Matagorda
Holland	Spencer
Howington	Stinson
Hull	Stoll
Hunt	Talbert
Johnson of Ellis	Tarwater
Johnson of Tarrant	Taylor
Kennedy	Tennant
Kern	Thornberry
Kerr	Thornton
Kinard	Turner
King	Vale
Lehman	Vint
Leonard	Voigt
Leyendecker	Waggoner
Little	Weldon
Lock	Wells
Loggins	Westbrook
London	White
Mays	Wilson
McAlister	Wood
McDaniel	Worley
McDonald	Wright
McMurry	

Nays—4

Allen	Kersey
Burkett	Pevehouse

Absent

Baker	Isaacks
of Fort Bend	Keith
Boethel	Langdon
Coleman	McFarland
Dickson	Newell
Felty	Piner
Gilmer	Pope
Hale	Winfree

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

The Speaker then laid Senate Bill No. 418 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—123

Allison	Harrell of Lamar
Alsup	Harris
Anderson	Hartzog
Bailey	Heflin
Baker of Grayson	Holland
Bell	Howington
Blankenship	Hull
Bond	Hunt
Boyd	Johnson of Ellis
Boyer	Johnson of Tarrant
Bradbury	Kennedy
Bradford	Kern
Bray	Kerr
Bridgers	Kinard
Broadfoot	King
Brown of Cherokee	Lehman
Brown	Leonard
of Nacogdoches	Leyendecker
Bundy	Little
Burney	Lock
Cauthorn	Loggins
Celaya	London
Chambers	Mays
Clark	McAlister
Cleveland	McDaniel
Cockrell	McDonald
Colquitt	McMurry
Colson, Mrs.	McNamara
Cornett	Mohrmann
Corry	Montgomery
Crossley	Morris
Davis of Jasper	Nicholson
Davis of Upshur	Oliver
Dickison	Pace
Dowell	Petsch
Dwyer	Ragsdale
Faulkner	Reader of Erath
Ferguson	Reaves
Fielden	Reed
Fuchs	Rhodes
Galbreath	Riviere
Goodman	Roach
Gordon, Mrs.	Roberts
Hamilton	Robinson
Hankamer	Russell
Hardeman	Schuenemann
Hardin	Segrist
Harp	Shell
Harper	Skiles
Harrell of Bastrop	

Smith of Frio	Turner
Smith of Hopkins	Vale
Smith	Vint
of Matagorda	Voigt
Spencer	Waggoner
Stinson	Weldon
Stoll	Wells
Talbert	Westbrook
Tarwater	White
Taylor	Wilson
Tennant	Wood
Thornberry	Worley
Thornton	Wright

Nays—4

Allen	Kersey
Burkett	Pevehouse

Absent

Baker	Isaacks
of Fort Bend	Keith
Boethel	Langdon
Coleman	McFarland
Dickson	Newell
Felty	Piner
Gilmer	Pope
Hale	Winfree

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

NOTICE GIVEN

Mr. Thornton gave notice that he would, on the next legislative day, move to take up for consideration, at that time, Senate Joint Resolution No. 12, which resolution was heretofore laid on the table subject to call.

TO GRANT PERMISSION TO SUE
THE STATE

Mr. Petsch offered the following resolution:

H. C. R. No. 171, To grant permission to sue the State.

Whereas, On or about November 10, 1937, Metropolitan Building and Loan Association, Abilene Building and Loan Association, Houston Building and Loan Association, Mutual Deposit Loan Company, San Antonio Building and Loan Association, Dallas Building and Loan Association, Gibraltar Savings and Building Association, First Federal Savings and Loan Association of Beaumont, First Federal Savings and Loan Association of San Antonio, and First Federal Sav-

ings and Loan Association of Pampa, brought suit in the 126th District Court of Travis County, Texas, against the Texas Unemployment Compensation Commission and Orville S. Carpenter, Chairman of said Commission, and Pat Moreland and C. R. Miller, members of the Commission, and William McCraw, Attorney General of Texas, seeking an injunction restraining them and each of them, their assistants, agents and deputies from making any assessment or levy against the plaintiffs or any of them for any payment, interest or penalty, or any other sum of money under Chapter 482, Acts of the Third Called Session of the Forty-fourth Legislature, as amended by House Bill No. 586, Acts of the Regular Session of the Forty-fifth Legislature, and from the filing of any suit or suits for the purpose of collecting any money from the plaintiffs under said Acts of the Legislature, which said Acts are commonly known as the Unemployment Compensation Tax Statute; and

Whereas, The defendants duly answered said suit by general demurrer and general denial, and specially denied that plaintiffs are quasi-public corporations and instrumentalities of either the State or Federal Government and asks that plaintiffs take nothing by their suit and that defendants go hence without day and recover their costs; and

Whereas, At the trial of the case in said District Court judgment was entered perpetually enjoining the defendants and each of them, from attempting to collect the tax, as prayed for by the plaintiffs, from which judgment said defendants appealed to the Court of Civil Appeals for the Third Supreme Judicial District of Texas, where said cause is now pending and undisposed of; and

Whereas, The question has been raised as to whether or not this is a suit against the State, and if so, whether or not the Legislature has consented to the bringing of said suit; and

Whereas, If it should be held that it is a suit against the State and that the Legislature has not consented to the bringing of the suit, the case would be dismissed without determining the main questions involved therein, and would require the bringing of ten separate suits to de-

termine the legal questions involved in this case; and

Whereas, It is desirable and advantageous to have the legal questions involved in this litigation settled in one suit rather than to require the bringing of ten separate suits; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the State of Texas, acting by and through its Legislature, do consent, and it hereby consents that said suit may be maintained by the plaintiffs hereinabove mentioned even though no consent was given to the bringing of the suit before it was filed.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

BILL ORDERED NOT PRINTED

(By unanimous consent)

On motion of Mr. Weldon, Senate Bill No. 478 was ordered not printed.

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 563, "An Act to prohibit the sale of cattle infected, or known to be infected, with Bang's disease, for milk purposes, by any person; prescribing a penalty, and declaring an emergency."

H. B. No. 626, "An Act to amend Section 6 of House Bill No. 303, Chapter 245, page 856 of the Acts of the Regular Session of the Forty-third Legislature as amended by House Bill No. 373, Chapter 264, page 651 of the Acts of the Forty-fourth Legislature as amended by House Bill No. 893, Chapter 257 of the Acts of the Regular Session of the Forty-fifth Legislature; providing for additional time for organization under such Act prescribing the time of organization and repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

MOTION TO INTRODUCE CERTAIN BILL

Mr. Faulkner moved to introduce the following bill:

By Mr. Faulkner and Mr. Pevehouse:

H. B. No. . . . , A bill to be entitled "An Act levying a sales tax of two (2) per cent on all retail sales, lenders of money or credit, and severance taxes upon those producing sulphur, natural gas, and oil, for the purpose of providing revenues to pay old age assistance, and to enable the State to meet its obligations to the destitute children, needy blind, and Teachers Retirement Fund; defining certain terms; providing for the collection of such taxes; allowing certain exemptions; providing how tax shall be paid and for reports to the Comptroller; providing for checking of Comptroller's records by the State Auditor; exempting certain sales of foodstuff and wearing apparel; imposing penalties both civil and penal for failure to report and pay such taxes; enacting provisions necessary in the aid of collection of such tax; providing for venue of certain suits; providing for injunction proceedings when necessary; delegating certain duties to the Comptroller; Attorney General and County and District Attorneys; providing for certain employees and how salaries shall be paid; allocating the revenues derived from this Act, and providing a saving clause."

Mr. Hull raised a point of order, on consideration of the motion, on the ground that the time allotted for the introduction of bills has expired.

The Speaker sustained the point of order.

Mr. Faulkner moved to suspend the Rules, relative to the introduction of bills, in order to introduce the above bill.

The motion to suspend the Rules was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—60

Allison	Chambers
Alsup	Cleveland
Baker of Grayson	Cockrell
Bell	Cornett
Blankenship	Crossley
Boyd	Dickison
Brown of Cherokee	Dowell
Brown	Faulkner
of Nacogdoches	Felty
Burney	Ferguson
Cauthorn	Fielden

Fuchs	London
Hale	Mays
Hamilton	McMurry
Hardin	Mohrmann
Harp	Montgomery
Harrell of Bastrop	Morris
Harrell of Lamar	Newell
Harris	Oliver
Holland	Pevehouse
Howington	Reader of Erath
Hunt	Roach
Johnson of Ellis	Russell
Kennedy	Spencer
Kern	Tarwater
Kerr	Turner
Kinard	Vint
Langdon	Waggoner
Lehman	Wells
Lock	Wilson
Loggins	

Nays—54

Allen	McDonald
Bailey	McNamara
Boethel	Nicholson
Bradford	Pace
Broadfoot	Petsch
Bundy	Ragsdale
Burkett	Reed
Celaya	Rhodes
Clark	Roberts
Colquitt	Schuenemann
Colson, Mrs.	Shell
Davis of Jasper	Skiles
Dwyer	Smith
Galbreath	of Matagorda
Goodman	Stinson
Gordon, Mrs.	Stoll
Hankamer	Talbert
Hardeman	Taylor
Harper	Tennant
Hartzog	Thornberry
Heflin	Thornton
Hull	Vale
Johnson of Tarrant	Voigt
Kersey	Weldon
Leonard	Westbrook
Leyendecker	White
McAlister	Wood
McDaniel	

Present—Not Voting

Bray

Absent

Anderson	Corry
Baker	Davis of Upshur
of Fort Bend	Dickson
Bond	Gilmer
Boyer	Isaacks
Bradbury	Keith
Bridgers	King
Coleman	Little

McFarland	Segrist
Piner	Smith of Frio
Pope	Smith of Hopkins
Reaves	Winfree
Riviere	Worley
Robinson	Wright

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

HOUSE JOINT RESOLUTION ON
FIRST READING

Mr. Cornett moved to introduce, at this time, and have placed on first reading House Joint Resolution No. 45.

The motion prevailed by the following vote:

Yeas—109

Allison	Hamilton
Alsup	Hankamer
Bailey	Hardin
Baker of Grayson	Harp
Bell	Harper
Blankenship	Harrell of Bastrop
Bond	Harrell of Lamar
Boyd	Harris
Boyer	Hartzog
Bradbury	Holland
Bradford	Howington
Bridgers	Hull
Brown of Cherokee	Hunt
Brown	Johnson of Ellis
of Nacogdoches	Johnson of Tarrant
Bundy	Kennedy
Burkett	Kern
Burney	Kerr
Cauthorn	Kinard
Celaya	King
Chambers	Langdon
Clark	Lehman
Cleveland	Leonard
Coleman	Leyendecker
Colson, Mrs.	Little
Cornett	Lock
Crossley	London
Davis of Jasper	Mays
Dickson	McAlister
Dowell	McDaniel
Dwyer	McDonald
Faulkner	McMurry
Felty	McNamara
Ferguson	Mohrmann
Fielden	Montgomery
Fuchs	Morris
Galbreath	Newell
Goodman	Nicholson
Gordon, Mrs.	Pace
Hale	

Pevehouse	Spencer
Reader of Erath	Stinson
Reaves	Stoll
Reed	Tarwater
Rhodes	Taylor
Riviere	Thornberry
Roach	Thornton
Robinson	Turner
Russell	Vale
Schuenemann	Vint
Shell	Voigt
Skiles	Weldon
Smith of Frio	Wells
Smith of Hopkins	White
Smith	Wilson
of Matagorda	Wright

Nays—13

Allen	Petsch
Anderson	Roberts
Broadfoot	Talbert
Colquitt	Tennant
Hardeman	Westbrook
Kersey	Wood
Oliver	

Present—Not Voting

Bray

Absent

Baker	Keith
of Fort Bend	Loggins
Boethel	McFarland
Cockrell	Piner
Corry	Pope
Davis of Upshur	Ragsdale
Dickson	Segrist
Gilmer	Waggoner
Heflin	Winfree
Isaacks	Worley

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

The Speaker then laid the resolution before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Cornett:

H. J. R. No. 45, Proposing an amendment to Article 8, Section 9, of the Constitution of the State of Texas by adding a new Section thereto to be known as Section 9-A; providing that the Commissioners Court of Red River County, after a majority vote of the resident qualified electors owning taxable property therein, shall have the authority to levy a tax of

not to exceed Twenty-five (25c) Cents on the One Hundred (\$100.00) Dollar valuation for a period not exceeding fifteen (15) years for the purpose of refunding the outstanding warrant indebtedness of the General Fund of the County by the issuance of bonds under the provisions of the general laws regulating the refunding of outstanding debts of the County; providing for the necessary proclamation; and appropriating funds to defray the expenses of the proclamation, publication and election.

Referred to the Committee on Constitutional Amendments.

ADJOURNMENT

Mr. Russell moved that the House adjourn until 10:00 o'clock a. m., next Monday.

Mr. Brown of Cherokee moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion to adjourn until 10:00 o'clock a. m., tomorrow, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—45

Bell	Hunt
Boyd	Kern
Brown of Cherokee	Kerr
Brown	Kersey
of Nacogdoches	King
Bundy	Langdon
Burkett	Leonard
Burney	Little
Chambers	Lock
Coleman	McDonald
Colson, Mrs.	Newell
Cornett	Oliver
Crossley	Pace
Faulkner	Pope
Ferguson	Reader of Erath
Fuchs	Reaves
Goodman	Roberts
Gordon, Mrs.	Smith of Frio
Harper	Spencer
Harris	Thornberry
Hartzog	Wells
Holland	Wood
Howington	Wright

Nays—82

Allison	Baker of Grayson
Alsop	Blankenship
Anderson	Boethel
Bailey	Bond

Boyer	McAlister
Bradford	McDaniel
Bray	McMurry
Bridgers	McNamara
Broadfoot	Mohrmann
Cauthorn	Montgomery
Celaya	Morris
Clark	Petsch
Cleveland	Pevehouse
Cockrell	Ragsdale
Colquitt	Reed
Davis of Jasper	Rhodes
Dickison	Riviere
Dickson	Roach
Dowell	Robinson
Dwyer	Russell
Felty	Schuenemann
Fielden	Segrist
Galbreath	Shell
Hale	Skiles
Hamilton	Smith of Hopkins
Hankamer	Smith
Hardeman	of Matagorda
Hardin	Stinson
Harp	Stoll
Harrell of Bastrop	Talbert
Harrell of Lamar	Tarwater
Heflin	Taylor
Hull	Thornton
Johnson of Ellis	Turner
Johnson of Tarrant	Vale
Keith	Vint
Kennedy	Voigt
Kinard	Waggoner
Lehman	Weldon
Leyendecker	Westbrook
Loggins	White
London	

Absent

Allen	Mays
Baker	McFarland
of Fort Bend	Nicholson
Bradbury	Piner
Corry	Tennant
Davis of Upshur	Wilson
Gilmer	Winfree
Isaacks	Worley

Absent—Excused

Daniel	Howard
Dean	Monkhouse
Derden	Reader of Bexar
Donaghey	

Question next recurring on the motion to adjourn until 10:00 o'clock a. m., next Monday, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—70

Allison	Kinard
Alsup	Leonard
Anderson	Leyendecker
Baker	Loggins
of Fort Bend	London
Baker of Grayson	McAlister
Bell	McDaniel
Blankenship	McMurry
Boethel	McNamara
Bond	Mohrmann
Bradford	Montgomery
Bray	Oliver
Bridgers	Petsch
Broadfoot	Pevehouse
Cauthorn	Ragsdale
Celaya	Rhodes
Cleveland	Riviere
Colquitt	Roach
Corry	Robinson
Dickison	Russell
Dickson	Schuenemann
Dwyer	Segrist
Felty	Shell
Galbreath	Skiles
Hale	Smith of Hopkins
Hamilton	Smith
Hankamer	of Matagorda
Hardeman	Stinson
Hardin	Stoll
Harris	Talbert
Hartzog	Tarwater
Heflin	Tennant
Hull	Thornton
Johnson of Ellis	Vale
Johnson of Tarrant	Vint
Keith	Voigt

Nays—56

Bailey	Gordon, Mrs.
Boyd	Harp
Brown of Cherokee	Harper
Brown	Harrell of Lamar
of Nacogdoches	Holland
Bundy	Howington
Burkett	Hunt
Burney	Kennedy
Chambers	Kern
Cockrell	Kerr
Coleman	Kersey
Colson, Mrs.	King
Cornett	Langdon
Crossley	Lehman
Daniel	Little
Davis of Jasper	Lock
Dowell	McDonald
Faulkner	Morris
Ferguson	Newell
Fielden	Pope
Fuchs	Reader of Erath
Goodman	Reaves

Reed	Weldon
Roberts	Wells
Smith of Frio	Westbrook
Spencer	White
Taylor	Wood
Thornberry	Wright
Turner	

Absent

Allen	McFarland
Boyer	Nicholson
Bradbury	Pace
Clark	Piner
Davis of Upshur	Waggoner
Gilmer	Wilson
Harrell of Bastrop	Winfree
Isaacks	Worley
Mays	

Absent—Excused

Dean	Howard
Derden	Monkhouse
Donaghey	Reader of Bexar

The House, accordingly, at 6:15 o'clock p. m., adjourned until 10:00 o'clock a. m., next Monday.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

State Affairs: Senate Bill No. 465.

Privileges, Suffrage and Elections: Senate Bill No. 238.

Counties: Senate Bill No. 482; House Bills Nos. 1124 and 1123.

Highways and Motor Traffic: House Bill No. 1121.

Examination of Treasurer's and Comptroller's Accounts: Senate Bill No. 179.

Education: House Bill No. 1101.

Criminal Jurisprudence: House Bill No. 650.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, May 31, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 775, A bill to be entitled "An Act empowering the State Board

of Education to adopt a multiple list of textbooks for the high school subjects now on the accredited list for which no textbooks are furnished; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 31, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 927, A bill to be entitled "An Act authorizing the Commissioners' Court to levy a tax not to exceed ten cents (10c) on the One Hundred Dollar (\$100) valuation upon personal and/or real property for the purpose of paying for the immunization of school children and indigent people from communicable diseases; authorizing the Commissioners' Court to pay as much as one-half or any portion thereof as they may deem reasonable for the treatment of indigent people other than paupers; providing a savings clause, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 31, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1039, A bill to be entitled "An Act providing that the date for the execution of a person sentenced to death shall not be fixed so as to fall upon a Friday, and providing that in the event the date of the execution is fixed so as to fall upon a Friday, the execution of the sentence be postponed to the following day, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 31, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1110, A bill to be entitled "An Act fixing compensation for jus-

tices of the peace and constables in certain counties; providing said compensation may be paid by part fees and part salary; providing mode and manner of payment of this salary; providing for limitations under this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 31, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1094, A bill to be entitled "An Act fixing the salaries of Superintendents of Public Instruction in each county in Texas having a population of not less than twenty-three thousand, six hundred and twenty (23,620) nor more than twenty-three thousand, eight hundred (23,800), according to the last Federal Census or any subsequent Federal Census; providing mode and manner of paying such salaries; repealing all laws and parts of laws in conflict herewith to the extent of the conflict only, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 31, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1093, A bill to be entitled "An Act prescribing certain procedures for the issue of certificates required by law; providing for penalties for the violation thereof, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 31, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1116, A bill to be entitled "An Act to require the inspection of shucked oysters produced outside of the State of Texas before the same may be offered for sale within the State of Texas; providing method and

fees for such inspection; fixing a penalty, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 31, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1117, A bill to be entitled "An Act requiring any person hunting any quail in Comanche County upon the private lands of another person in Comanche County, to first obtain and have in his possession a written permit; providing that the provisions shall not apply where such person is so hunting in company with the owner or agent of such lands; providing other necessary regulations pertaining to the obtaining of such permit, providing that the failure to have in possession such valid permit shall be prima facie evidence of guilt; providing a suitable penalty for violation of any provision of this Act; providing that it shall be the duty of any peace officer operating in any county affected by the provisions of this Act to enforce the provisions of this Act, and repealing all laws in conflict with any provision of this Act, insofar as they relate to Comanche County, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 31, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1118, A bill to be entitled "An Act to authorize, enable and permit the territory situated within the bounds of the Andrews Independent School District, in the County of Andrews and the State of Texas, and other lands and territory adjacent thereto in Andrews County, to incorporate as an independent district for free school purposes only, to be hereafter known as the Andrews Independent School District, with all the powers, rights, privileges and duties of independent school districts formed by incorporation of territory for free school purposes only; and to provide

for an election on the question of divesting the old Andrews Independent School District of control of its public schools and title to school properties, and vesting the same in the new Andrews Independent School District and its Board of Trustees providing for a Board of School Trustees for the control and management of said independent school district; providing that all funds held for public school purposes and to be used in the territory included in the new district shall be turned over to the Trustees of the new district as herein provided may be created; providing that any outstanding bonds or indebtedness of the old district may, upon an election being held in the new district, be paid by a tax duly levied in the new district; providing other incidental provisions, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 31, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1119, A bill to be entitled "An Act validating refunding bonds authorized by any home rule city whose charter allocates its permitted taxing power to specified purposes, and which refunding bonds are authorized to refund all of the outstanding bonds of such city, and have been approved by the Attorney General, notwithstanding the fact one or more issues of such refunding bonds or the bonds refunded thereby may have been authorized and issued for the purpose of refunding bonds originally payable from such separate tax allocations; etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 31, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1092, A bill to be entitled "An Act to amend Section 1 of House Bill No. 413, passed by the Forty-

sixth Legislature, Regular Session, providing that all ordinances hereinafter enacted by Home Rule Cities of the State of Texas, organized and operating under the Home Rule Amendments to the Constitution of the State of Texas, and the provisions of Title 28, Chapter 13, of the Revised Civil Statutes of Texas, 1925, shall be published as provided in the charters of such cities and establishing rule for publication of ordinances prescribing penalties where charter does not provide for such publication; providing this Act shall be cumulative of other laws, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 1, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 152, Granting Floyd Farrell permission to bring suit against the Texas Prison Board and the State of Texas.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, June 1, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 563, "An Act to prohibit the sale or disposal of cattle for milk purposes by any person knowing or having reason to believe same are infected with Bang's disease; prescribing a penalty, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

SENT TO THE GOVERNOR

June 1, 1939

House Bill No. 1103.

House Bill No. 1074.

In Memory of
Mr. John S. Bonner, Sr.

(Mr. Leonard in the Chair.)

Mr. Heflin offered the following resolution:

H. S. R. No. 304, In memory of Mr. John S. Bonner, Sr.

Whereas, On Tuesday, May 31, 1939, John S. Bonner, Sr., of Houston, Texas, was called to his eternal reward; and

Whereas, In his passing Texas has lost one of its most useful citizens, one whose thought was for the betterment of his community and his fellowman; and

Whereas, In addition to his success as a private citizen, he contributed generously of his time, talent, and money to various humanitarian movements and his interests were so varied that his loss will be felt in every walk of life; and

Whereas, One of his last services was in directing the work of the W.P.A. in South Texas, which position he relinquished only when he was physically unable to continue; and

Whereas, "Uncle Johnny," as he was affectionately called, was one of whom it truly could be said: "He walked with kings but never lost the common touch"; now, therefore, be it

Resolved by the House of Representatives, That the loss of this noble character is a loss to the whole State, and that a copy of this resolution be sent to the members of his family as a tribute to the life of Mr. Bonner, and that when the House adjourns today it do so in memory of him, and that a copy of this resolution be spread upon the House Journal for today.

HEFLIN.

The resolution was read second time.

Signed—Morse, Speaker; Allen, Allison, Alsup, Anderson, Bailey, Baker of Fort Bend, Baker of Grayson, Bell, Blankenship, Boethel, Bond, Boyd, Boyer, Bradbury, Bradford, Bray, Bridgers, Broadfoot, Brown of Cherokee, Brown of Nacogdoches, Bundy, Burkett, Burney, Cauthorn, Celaya, Chambers, Clark, Cleveland, Cockrell, Coleman, Colquitt, Mrs. Colson, Cornett, Corry, Crossley, Daniel, Davis of Jasper, Davis of Upshur, Dean, Derden, Dickison, Dickson, Donaghey, Dowell, Dwyer, Faulkner, Felty, Ferguson, Fielden, Fuchs, Galbreath, Gilmer, Goodman, Mrs. Gordon, Hale, Hamilton, Hankamer, Hardeman, Hardin, Harp, Harper, Harrell of Bastrop, Harrell of Lamar, Harris, Hartzog, Holland, Howington, Hull, Hunt, Isaacks, Johnson of Ellis, Johnson of Tarrant, Keith, Kennedy, Kern, Kerr, Kersey, Kinard, King, Langdon, Lehman, Leonard, Leyendecker, Little, Lock, Loggins, London, Mays, McAlister, McDaniel, McDonald, McFarland, McMurry, McNamara, Mohrmann, Monkhouse, Montgomery, Morris, Newell, Nicholson, Oliver, Pace, Petsch, Pevehouse, Piner, Pope, Ragsdale, Reader of Bexar, Reader of Erath, Reaves, Reed, Rhodes, Riviere, Roach, Roberts, Robinson, Russell, Schuenemann, Segrist, Shell, Skiles, Smith of Frio, Smith of Hopkins, Smith of Matagorda, Spencer, Stinson, Stoll, Talbert, Tarwater, Taylor, Tennant, Thornberry, Thornton, Turner, Vale, Vint, Voigt, Waggoner, Weldon, Wells, Westbrook, White, Wilson, Winfree, Wood, Worley and Wright.

On motion of Mr. Montgomery, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.